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Fellow Citizens,

Of the Senate and of the
House of Representatives.

The assembling of the elect-representatives of a free and sovereign people, within the late department of Texas, is an event ^{which} ~~which~~ calls for the warmest congratulations of every patriot heart. But mutual felicitations alone, would be inadequate to express the high sentiments, that ought to pervade our bosoms on this solemn and interesting occasion. Holier and loftier feelings become us; for it is meet that we raise our thoughts and our thanksgivings to that omnipotent being who rules the Universe, directs the affairs of empires, and guides the destiny of all.

Among the many revolutions that have varied the political ^{condition} ~~condition~~ of men, few have exemplified more clearly than that in which we are now engaged, the controlling supervision and the high approbation of a beneficent Providence. We have realised by actual demonstration that "the battle is not always with the strong." The enemy came upon us a well-marched host, with great vigor and might. But he was repelled by a mere handful of Patriots, and the flush of his confidence, inspired by numbers, was turned to paleness and trembling. It therefore behooves us, in the Spring time of our national existence, to lift up our hearts in devout gratitude to the God of battles, that permissive he may continue his blessing and vouchsafe to us a happy issue to all our labors.

On you fellow citizens, members of the first Congress of the Republic of Texas, labors of the most arduous, the most interesting and

most important character devolve. To you is
committed the beginning of Legislation, and as
you shall lay the foundation, so will be reared
the superstructure. On you therefore rests the
high responsibility of giving political re-
character and moral reputation to one just
born into the family of nations. The present
generation will feel and exhibit the im-
print of your doings, and our posterity shall
transmit to ^{gene}ration unbroken. I pray therefore
that in all your deliberations, you may be
so guided by a spirit of wisdom, of justice
and of truth, that when the star of Texas
shall culminate in all its ^{brilliant} greatness it may
shed forth a glorious and luminous light.
And rather she take her station among the
illustrious constellations of the North or revolve
on her own axis and within her own sphere.
That she may display not only the goodness
of God but the wisdom and providence of her
early legislators. On me rests the duty of present-
ing to your consideration a brief exhibit of our pre-
sent political condition, and to suggest such
measures as may be adapted to satisfy the
wants secure the well being and develop the
resources of our beautiful country. In the execu-
tion of this task there is much to excite imbu-
sion and apprehension, but more to animate
our hopes and foster a spirit of perseverance.
Many difficulties have been overcome and
many remain to be subdued, but a general
spirit of harmony, unity of purpose and of ac-
tion, and sincere devotion to the public weal
will easily surmount them all and Texas
will soon be enabled to assert a legitimate
claim to be ranked among the nations of the world.

maintained. At this gloomy period the financial affairs of the country were in a condition more deplorable than its military expenditures. The Commissioners Messrs. Austin Archer and Wharton appointed by the late provisional government, had negotiated a loan for two hundred thousand dollars and another for fifty thousand dollars with sundry interest in the city of New Orleans. It was doubtless the best arrangement that could be made at that period. Mr. Robert T. Inglett a principal subscriber to each of the above loans presented himself to the Government at Harrisburgh. Twenty thousand dollars had been paid in on the first loan and the whole of the second was advanced. The ratification of those loans had been submitted to the Convention and by them was referred to the Executive Government. On inspecting the terms of the loans some of the conditions were considered inadmissible. The exclusive right to an immediate location of the ships was a privilege which it was believed would cause infinite dissatisfaction in the country and be especially obnoxious to the volunteers of the Army, the nature of whose claims & services would seem to preclude any right of priority of location in others. For no species of public service is considered more meritorious or more entitled to recompense than that which is rendered in the field of battle. Under these impressions we proposed to Mr. Inglett a modification of the loans and agreed to reduce the price of the loan or in other words to make a donation of 32 leagues of land to be distributed pro rata among the stockholders in consideration

of a relinquishment of the right of priority of
location, conceded to them by the terms of the
original contract. The modification ~~was~~
was accepted by Mr. Triplett for himself. He
was not vested with authority to bind his
colleagues, but he expressed an opinion that
they also would accede to it. From that first
loan the Government confidently anticipated
a fiscal aid of some importance in the pressing
emergency, but as the sequel will disclose,
they were egregiously disappointed. Mr. Triplett
on his return to the United States, presented
his modified contract to his associate stock
holders, and to our surprise they unanimously
voted against its reception, and declined
advancing the residue of the loan. Some
disappointment resulted from this decision
of the lenders, and the Government felt the in-
convenience & an illusory anticipation. A new
provision has been made ^{by the lenders} to adjust the ac-
counts advanced on the ~~previous~~ ^{former} terms of the
modified contract, but no definite answer has
been had to that overture. The presumption
is that it will not be accepted, and that the
settlement of ^{the} whole ^{transaction} contract will devolve on
Congress. For we have long since determined to
submit the whole matter to your decision.
The result of this negotiation affords conclusive
evidence of the impracticability of anticipating
the wants of the country by ordinary loans.
Some other course was necessary and the Govt.
resolved to issue scrip for land: considering
the public domain as the most available, and
the least objectionable source of public re-
venue. Accordingly the agent appointed viz. of
Thomas Toby Esq. a gentleman who had af-

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already made considerable advances on account
of the Government and had manifested a dis-
tinguished sympathy in our behalf, was authorized
to issue bonds to the amount of 500,000 acres of land
to be located on the public domain of Texas
and to dispose of it at the established minimum
price of 50cts per acre. He has subsequently been
empowered to extend his issues to one million
of acres. The exigencies of the country will probably
require more immediate funds than this amount
of bonds will furnish and I suggest to you the
propriety of authorizing a further issue. The
finances of the country is a subject of vast im-
portance, and will commend itself to the
early and anxious attention of Congress. The
adoption of a plan for a permanent and certain
revenue is indispensable, and I trust your com-
bined intelligence will suggest such a system
as will answer the great purposes intended
and will afford a general satisfaction to your
constituents. The principal points to be obser-
ved in drawing contributions from the people,
for the support of the Govt. are equality of burden
with facility and cheapness of collection. Un-
equal taxation is one of the most odious fea-
tures of Despotism. Duties on imports and some
cases on exports constitute a convenient and
economical mode of supplying the public
necessities, and are less onerous to individual
than almost any other impost. They there-
fore form a part of the financial resources
of all countries. The idea of a free international
commerce, is a modern improvement, that
reflects great credit on the philanthropy
of the present age, and it is much to be
regretted, that the entanglements of an

institutions and the intricacy of confirmed
habitudes, have prevented its adoption by the
Principal nations of the earth. While these
oppose it by cordons of custom ~~freest~~ and
ponderous codes of revenue law it would be
vain and ineffective for a nation just spring-
ing into existence to attempt its practical
establishment. When the abundant intrinsic
resources of our country shall be fully de-
veloped, then it may to the peculiar glory
of Texas to invite the kindred nations of the
earth to an unembarrassed intercommu-
nion of their diversified products. The effects
of such a system on the peace and happiness
of nations and on the comfort and enjoy-
ments of individuals would transcend all
that has hitherto been accomplished by the
struggle and selfish spirit of commerce
And that spirit parsimonious and pi-
cious as it is, has done much to meliorate
the condition of man by dispensing the
munificent and various beneactions of
providence, to and from the remotest crime.
The institution of a tariff is a matter of
great delicacy, requiring a minute attention
to the smallest concern of domestic life. An
exclusive or disproportionate charge upon
one necessary article of merchandise would
violate the grand principle of equalization
And I trust you will be able to order the
assessments as to avoid that evil. The experience
of the nation from which we have succeeded af-
fords abundant testimony of the pernicious
consequence of an overcharged tariff. An
exorbitant rate of duty not only defeats
itself by presenting allurements to evasion

of the law: but it has a tendency to demoralise a valuable portion of the community. It is one of the most interesting purposes of legislation, to purify and elevate the standard of moral sentiment among the people.

The military organization of the country is defective, in many respects, and will require your early attention. The law offering a bounty in land to volunteers expired by its own limitation, on the 1st of July, and since that period, a number of volunteers have arrived in the country, to aid in its defence. Common justice would seem to require that the same remuneration be conceded to them, that is rendered to their predecessors, in the chivalrous enterprise: for they were doubtless actuated by similar motives and stimulated by similar inducements. From the present aspect of our foreign relations, we have every reason to believe, that a further accession of these generous champions of liberty, may be desirable, and arrangements are made which I trust will be adequate to all our wants in this respect. But I would recommend to your consideration, the propriety of withholding all inducements to further enlistments, for a short period of time: for it is very apparent, that a volunteer, for three or six months, can scarcely be familiarised with the military duties of a camp, before his term of service expires. The continuation of the bounty system is perhaps expedient: but it is also desirable, that it may be made as effective as possible, in the grand purpose of its creation. The report of the Secretary of War, will inform you of the present condition of the army. Its numerical strength has been fluctuating on account of the frequent accessions, and discharges of volunteers, under short enlistments. A more permanent establishment will obviate this, and many other, more serious evils. The army has suffered and is still suffering some privations, but is generally

The very limited financial resources of the Government,
their supplies have been abundant and used as regular
ly administered, as could reasonably be expected. The execu-
tive Government has been anxiously and assiduously in
intent, in providing them as comfortable as possible
and if occasional failures have occurred, they are attri-
butable to inevitable circumstances. The Quartermaster
General has been sent to New Orleans for the pur-
pose of facilitating the procurement of supplies from
that quarter. The approach of winter admonishes us,
of the great necessity of obtaining comfortable clothing
and ample provisions for our gallant troops, whose
exposure in the land field, will command
your earnest and most active solicitudes. Orders
to a large amount have been transmitted for
provisions, clothing, and other requisites, and a hope
is entertained that an adequate supply will be
speedily obtained. But orders of a similar charac-
ter, ^{had previously been issued} and owing to the want of means they have
resulted in disappointment. The present condition
of the Navy is by no means commensurate with
the importance of that arm of the public service.
The defect of means has restrained the Executive
Government from effecting any actual increase
of its strength. Some steps have been made to im-
prove its organization. Concerning it I am of opinion
that an immediate and responsible command
in chief should be created, who can himself ex-
ercise the man and practically engage in the ser-
vice. I have pointed out with the advice and consent
of the Cabinet to Charles E. Hawkins Esq. a gentle-
man whose gallantry and nautical science would
grace any service, to that high office with the
rank of Commodore. The operations of the Navy have
been as efficient as could have been expected. They
have prevented any ~~disruption~~ ^{disturbance} on our coast.

wisdom of Congress to determine how soon the new organization shall be effected; perfected, the report of the Treasury Department which I have the honor to transmit to you, consists principally of the report from the Auditor's office. The Post Office establishment created by the late Provisional Government ceased its operations soon after the advance of the enemy within our settlements, and they have not been resumed. The legitimacy of that establishment is probably not a subject for present enquiry. But the great importance of establishing the means of transmitting intelligence throughout the country, scarcely needs a question and I doubt not you will render an early attention to this interesting subject. The want of such means has been seriously felt by the present administration. It will be recollected that the powers conferred on the Government at interim, were extraordinary; that they comprised the plenest attributes of sovereignty, the legislative and judicial functions excepted, the circumstances under which that Government had been administered, have been equally extraordinary. Some time when Texas was a mass of fugitives they have been without a local habitation and sea port to the Canadian front. Again they have been of Galveston Island without a shelter and almost without subsistence, and never have they been in circumstances of comfort and convenience suitable to the orderly conducting of the grave and momentous business committed to their charge. That errors should have been committed and that duties should have been omitted, under such circumstances will not surprise those who have an honest consciousness of their own fallibility. But the

those extraordinary powers, have not been far vented
to any sinister purpose: to the damage of the
by the personal aggrandizement, or to the creation
or advancement of a party, or to the success of
speculation: I assert with a modest, but a firm
and assured confidence. Soon after the birth
of San Jacinto the Executive Government commenced
a treaty with the Captive President of Mexico
the negotiation was protracted till the 14th of June
when two treaties the one open, the other secret
were executed between this Government and
President Antonio Santa Anna. Copies of the
treaties are herewith submitted; Some stipulations
of the Treaty (regarding the negotiation
as one) have been complied with on the part
of the Mexican President. And our Government
engaged to execute that engagement which re-
lates to his transportation to Vera Cruz. The
Treaty was made in good faith and will
be faithfully executed. But a highly ex-
periented popular opinion, aided and sustained
by a dictatorial interposition of the army, im-
posed an absolute necessity upon the Govt. to suspend
their compliance with that article of the Treaty
and to remove the Captive President to the
Confinement. General Santa Anna was sub-
sequently committed to the custody of Capt. Thos.
H. Barton who had been despatched by the
Govt. for the purpose of being in charge, and for
that period he has been regarded as the prisoner
of the army. The Civil Government has exercised
no control over him and has felt no official
responsibility in relation to his person.
There is a multitude of other subjects that
naturally present themselves to the legislative

of Texas! But they belong to your country. While
he is perfecting the arduous task of adjusting the
controversy with Mexico, the hand of Providence has
been prodigal in its dispensations to our favo-
rit land. In agricultural capabilities it is
unexcelled. Its champagne surface invites the con-
struction of Rail Roads and Canals, in all di-
rections, and future explorations will disclose
inexhaustible mineral wealth, comprising gold
silver and copper lead and iron. All these will
constitute subjects for future legislation. But at
present the defence of our country and the achieve-
ment of our Independence are a burning and
paramount subjects to which all the functionaries
of Government, and all patriot citizens should
devote their most strenuous and unfatigable
efforts. It will not be surprising to be ap-
parent to your discernment that some internal
improvements may be advantageously effec-
ted. The establishment of regular ferries at the
mouths and the erection of bridges over many riv-
ers and bayous, would greatly facilitate the
military operations of the country, and conduce
to the general convenience. It cannot be dis-
guised that the principal sufferings and losses
incident to the war have been sustained by in-
very unequal proportion by the citizens of
of the country. The population of the central
and west of Texas and of the Brazos have experienced
all the miseries of a successful invasion by
a foe whose watch word was death, and whose
purpose was extermination while other and
superior sections of the country have been com-
paratively exempt from molestation or incon-
venience. Many citizens have suffered an entire
destruction of their personal goods. Others

have had their dwellings destroyed by the enemy. Others again have seen their goods to the flames, by their own countrymen, connected with the public defence.

This is a national calamity and ought to be undertaken and prosecuted only for national purposes. It would seem equitable that the destruction of property accruing from the war should constitute a national loss, and not be appropriated by a few individuals, whose locality happened to be made the theatre of courage and devotion. The citizens of the Brazos were contributing not for the independence of the Brazos, but of Texas, and the inhabitants of Texas generally, were as deeply interested in the contest as themselves. The sound of the enemy's trumpet has never disturbed the quietude of some regions, while the trampling of his armies has carried desolation and ruin over the fair surface of others. It belongs to the wisdom, as the justice of Congress, to determine whether compensation shall be made for losses ^{thus} incurred. By an unhappy concatenation of circumstances, the public mind has been attracted to one subject of deep and exciting interest. The Anglo American settlement in Texas commenced about 15 years ago, when our estimable fellow citizens General Stephen F. Austin, the prince of pioneers, first disturbed the despotism of the Brazos with the hum of civilization, for several years difficulties and privations, disasters and sufferings were the common allotment of the settlers. The apparent munificence of the Government, had concealed to them large portions of land, and the lands were intrinsically valuable, but presently they were of little worth. The early settlers regarded rather their children than themselves, in anticipation of the rewards of their painful emigration to a wilderness. Their little ones were made perfect according to the best tenure of all earthly possessions.

They were derived directly from the Government, in
whom the property resided. To invade the sanctity of
those titles, and to cancel rights consecrated by solemn
suffering, would be a refinement of iniquity, that
would ^{have} caused a blush of compunction, to suppress
the countenance of the Gracchi. I trust that this
Congress and all others that may assemble in Texas
will promptly and decisively put the seal of
their reprobation upon all sinister and unrighteous
speculations in the public domain. But the mo-
ment the legislature of a country, attempt with
an unhallowed hand, to violate the just and
vested rights of individuals; Government ceases to be
a blessing, and civil society is divested of half its
guarantees. In the course of your labors, for the
public weal, you may experience trials and vexa-
tions, that will be calculated to discourage your
hearts and infuse disgust into your minds, your
best exertions and most elaborate productions, may
receive reproach instead of approval, and your mo-
tives, may be impugned, when they are as pure as
the snow of the mountain top. But let not those
things dishearten you, It is "but the rough trade
that virtue must go through," Banish from your coun-
cils all party spirit and political intrigues and ar-
med in the panoply of an honest patriotism, more joined
in the path of duty, and onward to the goal of your
country's redemption, And may the Almighty ruler of
the Universe give you wisdom to discern virtue, to choose and
fearlessly, to pursue the right, and when the morning
then your labors will be found to the eternal and per-
manent benefit of your country, and will so establish
your own fair fame that the voice of Seneca and the
voice of vituperation shall not prevail to suller its bright
rept.

October, 1836

David S. Rice

To The

Honorable the Senate, and
House of Representatives.

I have the honor to transmit a report from the
Secretary of the Treasury War, and one from the ac-
tiring Sec of War, and also a report from the Pos-
tmaster General, these documents are submitted
as pertaining to my first communication.

Columbia Oct. 1836.

I have the honor to be,

Your obt. servt.

David G. Burnett.

Mr. President.

The House of Representatives have
passed the following resolution.

Resolved that the President be requested to
lay before this house as early as possible, the exact
amount of land scrip, which he has authorized to
be sold in Texas or elsewhere, & also into whose hands
such land scrip has been placed; and for what
particular purpose; and how much thereof has
been sold; together with the accompanying documents
relative to such transaction.

W. A. Smith

Clk of H. R. 10th Oct. 1836.

Wm. P. Ingham.

Speaker. H. R.

Executive Department.
Columbia October 13. 1836.

To The Honble

The House of Representatives,
gentlemen.

In compliance with
a resolution of the 10th inst., requesting a statement of
the amount of scrip, which has been issued, and
authorized to be sold in Texas or elsewhere; into whose
hands such land scrip has been placed; and for what

particular purpose, and how much thereof has been sold together with the accompanying documents, relative to said transaction, I have the honor to transmit to you the subjoined statements, and the papers hereto annexed. The agency for the disposition of scrip for land, has been conferred to Thomas Toby Esq, a citizen of New Orleans, by a power of attorney bearing date the 30th June A.D. 1836 and the general agency for purchasing and selling scrip, has been conferred by Thomas Toby & Brother. The whole amount of land scrip, which has been issued in the United States on account of this Government is here extracted from a letter of Thomas Toby to the Executive dated at New Orleans, 1st September 1836 and is as follows.

13	certificates in the name of Samuel Shiksp	640 acres
2	" " Stewart Perry	1280 acres
2	" " Samuel St John Jr	9600 "
1	" " H. W. Brownson	640 "
20	" " Samuel St John Jr.	12800 "
30	" " " "	19200 "
1	" " B. B. Dickenson	640 "
2	" " W. Walker	1280 "
3	" " Hyde Godrich & Co	1280 "
10	" " Geo. C. Alfred	6400 "
15	" " Sam Williams	9600 "
475	" " " "	304000 "
10	" " James House	6400 "
383	Total amount of scrip sold being for	372,120 acres

The amount of the above scrip that has been actually sold, I am not informed of. The following orders for scrip have issued from this department. To wit: Toby for the service just rendered.

Aug 1st An order in favor of G. C. Alfred in payment of a dam^{pro 9th} and the sum from the Govt for scrip purchased for the same

6. 1836
9th An order to place scrip in the hands of a sub ag^{ent}

in New York, to defray the expense of repairing the
Schooner Quinville.

12.000 acres

Aug 10 An order for defraying the expense of Perimeter
Brown, Capt of the Quinville, repairing
his vessel.

1000 "

10 An order in favor of the Surgeon of the ship Quin-
ville, to be invested in provisions and clothing.

1200 "

Sept. 2 An order to pay Wm. H. Lotter for a cow purcha-
sed by the Quarter Master Gen on account of the
Government.

900 "

" 13 An order to furnish Robert C. Handy to
be disposed of for the benefit of the Government.

10.000 "

" 20 An order in favor of Lt Charles S. Green
to introduce troops into the country.

10.000 "

" 20 An order in favor of Lt. Col. Green to intro-
duce troops into the country.

3000 "

" 20 An order in favor of Major H. H. V. Higgins
to introduce troops into the country.

3000 "

" 20 An order in favor of Lt. W. P. Miller to intro-
duce troops into the country, and in case of a further
requisition for him to pay scrip not exceeding

4000 "

" 23 An order to furnish Col. James. Burgans with
scrip for the purpose of procuring provisions and other

10.000 "

" 24 An order to pay W. H. V. Hays to introduce troops
into the country, to wit the amount of

1000 "

That amount of scrip will be for by order from this Dept. 24.201 Acres

For further explanation of the foregoing

I have the honor to transmit a copy of the Letter of Atter-
ney to Thomas. G. G. Esq., and Thomas. G. G. Esq. and
also transcripts of several corresponding communica-
tions made to them by the Government, and a
free since of the form of the scrip issued. The con-
tents of the expedition against the Indians, with the large
requisition from the commanding general for arms
supplied, and did it necessary to, but for the very means
within the power of the Government to exert. Accord-

Accordingly a second authorization, was transmitted by letter
to Mr. Toby to issue scrip for 500,000 additional acres,
making his whole authority, to comprise one million
of acres. The scrip on the last intended issue was
directed to be struck off in a form to emanate directly
from the Government, and to be sent out for sig-
nature here, by the Executive, and Sec. of Treasury, and
then returned to the agent for disposal. Mr. Toby has also
been requested to send out for signature, such portion of
his first issue, as had not yet been procured and dispo-
sed of, but to continue his sales as before until the new
scrip could be obtained. In compliance with these
requests Mr. Toby has transmitted a quantity of Blank
Scrip comprising 516 certificates of 640 acres each, styled
"first," and 482 certificates of 640 each, styled "second,"
for similar of which are herewith transmitted, and
which remained in this office. Of the scrip the revenue
we have recently issued 16 certificates to Ed. Sidney
Therman who had been some time previously au-
thorized to repair, to the United States on public
business, and was detained by serious indisposition
until recently. It will be observed that the
whole amount of scrip sent out, added to the quan-
tity issued by Mr. Toby will exceed the aggregate
number one million of acres authorized to be
issued. This surplusage I presume you intended
to provide against casualties, by which some
certificates might be rendered unfit for utterance.
I have requested Mr. Toby to furnish me with a
summary account of the Scrip sold, and of the dis-
bursements & the proceeds, and also of all matters
connected with his agency. As his reply is
received it will be communicated.

David S. Turner

Executive Department
Washington 11th Oct. 1861.
Hon. the Senate and
House of Representatives,
Gentlemen,

I have the honor to transmit herewith transcripts of letters and notifications furnished to Col James Hagan, and also those furnished to Major Robert C. Hardy for the information and consequent action of Congress. The great necessity of supplying the army and increasing its numerical strength, constrained the Govt and intensions, to bring into requisition every available means within its circumscripted ability, to employ. Should the Congress deem it advisable to prosecute the efforts now being made, some confirmatory act on their part, would give efficiency to the authority conferred on the agents, and would render important facilities to their operations. The recent intelligence from the army, indicates a great want of winter clothing &c. The commanding Gen writes that within ten or fifteen days of this time, they will be without bread stuffs in camp. This condition of our gallant troops, will exhibit to our national councils in the more forcible terms, the necessity of early attention to their wants. I have also the honor to exhibit to you the documents furnished to the Quartermaster General, on his late visit to New Orleans, together with the circular communications to the agents there, all of which is respectfully submitted.

David G. Burnett,
Executive Department

Hon. the
Senate.

11 Oct. 1861.

I have the honor to submit to the Senate, for their information, a copy of a letter which was received by the hand of Henry M. Pierpont Esqr. from the

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Hon. Mr. Secretary, I would remark to the Senate
that I found, Mr. Stewart an amiable intelligent and
sensible man, that he made very minute inquiries into
the constitution of the Government and of the Country
generally, and I am persuaded his report in the Govern-
ment will be as favorable as a due regard to equity will
justify. His report submitted, is now in hand in the Chamber
of Annals which will be able to carry in September.

I have the honor to be, Sir, &c.

Wm. A. Stewart.

Executive Department.

Sept 1850.

To the Hon. Mr.

the Senate; and

House of Representatives.

Respected.

The 4th section of the general
provisions of the Constitution, comprehends, the adoption
and providing of a seal for the Republics. I have the honor to
submit to the inspection of Congress the design of a seal, consist-
ing of a single star, with the words "The Republic of the United
States," and to recommend its adoption as the seal of
this Republic, I would also suggest to the consideration
of Congress the project of adopting and promulgating
the form of a national flag, to be communicated. The nation-
al flag of the United States, and I would respectfully
submit the following as a simple emblematic and distinct
conformation for such standard: I have a design
of a large golden star, central, and blue is ordinarily used
has already been previously adopted into the navy, and
I recommend to Congress a similar action to give to it
that constitute the emblem of nationality, to be
set on the new seal, and it is necessary, now to be
formally adopted and made known. The flag in use
by the navy is constructed as follows. Union Blue - Star
white. Thirteen stripes prolonged alternate red and
white. The allusion of the 13 stripes is emblematic and

will constitute an agreeable memorial of our common
recollections

Signed

Thos. B. Barnes

Executive Commission

To the Hon. Sec.

Dec. 1. 1856.

the Senate and

House of Representatives

Gentlemen,

From an inadvertence to which
the great pressure of business, that has recently upon me must
be, very uncongenial circumstances, under which that business
has been transacted, will receive an adequate apology. I
submitted in my communication to the Hon. Sec. in August
to mention a case that had been effected by the Commission
under the Act of March 2nd and March 10th 1855, page 4th.
On the 2nd day of May 1856 the gentlemen negotiated a
loan with Samuel S. Garrison and others in the City of New
York for one hundred thousand dollars which appears by
documents to have been submitted to the Commission and that
sum was advanced, and has been appropriated to the
service, as will appear by reference to the accounts of the
Commission and also on file in the Auditors Office.
I should for one hundred thousand dollars, received under
a late Congressional enactment, and deposited with the
Commissioner of the General Land Office, at Washington. In the
month of March 1856 the Commission was made aware of
which is larger the amount of \$3,000,000 and a plan to
execute it was executed. Charles C. Johnson from the
Commissioner of the General Land Office, to the Hon. Sec.
it was the Commission's intention to execute the plan
to execute it was made known to me on the 10th of the
Commissioner's and I have it as my duty to con-
firm the contract to the full extent and that I have
not been allowed, inasmuch as a minimum price has been
established for land proceeding that contracted for in the

loan and the prospects of our country are, more flattering
now than they were when that loan was first offered. Whether
did the Commission advise that it should be confir-
med, should any more minute information be desired it
will be promptly furnished as each of the Commissioners
are present. Courtesy to the gentlemen who have loaned us their
money, would suggest the propriety of an early decision on
the part of this Govt. A confirmation of the act of ratification
by the Government *ad interim*, would probably be gratifying
to them.

Signed

David S. Barnes.

(P.S. The Government *ad interim* in the exercise of the plen-
ary power vested in it, addressed a letter to James Treas-
urer and A. P. Mafford Esqrs. a copy of which is presented (marked
C. signifying the acceptance of the 6th article of the loan and
that the ten thousand dollar advanced would be reimbursed
with 8 percent interest per.

A. S. 1830

Executive Department

To The Honble,

12 Jan. 1830

The Senate,

Gentlemen.

I have the honor to transmit a co-
py of a commission and letter of instructions, given to James
McClintock and Peter W. Grayson Esqs, empowering them
to proceed to the City of Washington in the United States
and in case of a favorable reception by the Govern-
ment there, to communicate with them on several interesting
and important matters. The prospective annexation of
Texas to the Government under which we ^{first} conceived
principles and participated of the feelings of a free and
liberal institutions, was a policy, which we believed would
procure an approving response from a large proportion of
the citizens of Texas. And we were desirous to furnish the means
for the effectuation of that measure, as early as might be
practicable. The Senate will perceive that the object of the
commission ^{mission} was to open the subject, by inquiring into
what terms such annexation could be effected, and that

The Commissioners were not authorized to do any relative act, that would be in any wise obligatory on the Government of Texas. Unfortunately the Commissioners did not arrive at the Seat of Government, until four days after the adjournment of the Congress, and at the moment the President of the State public was about to leave the city on a visit to his late residence in Tennessee. The obstructions in the navigation of the Ohio river by ice, delayed their progress. The consequence has been that no decisive result to the mission has been ascertained. Mr. Cuthbert, who was personally known to President Jackson, left the city and repaired to Nashville. Mr. Grayson remained at the Hospital.

The commission as furnished to those gentlemen, was found to be defective in form, and I presume without a new authority, they will not be able to accomplish the first object of their visit. I would suggest the propriety of appointing one Commissioner and investing him with ample powers to negotiate for a recognition of our Independence, and having attained that, to operate on such other matters as our relative interests may require to be adjusted, with that Government. The diplomatic relations of Texas would seem naturally to comprehend more than one Foreign power. Our agricultural productions are as interesting and our consumption of foreign manufactures as important, and will present as many attractions to Great Britain as to the United States. And should the latter Government manifest a protracted participation on the question of Acknowledgment. I would recommend an early application to the Court of St. James. The great amount of the paper capital in England, would probably afford us some financial advantages, not elsewhere to be obtained, and our grand staple of cotton, would hold forth to that Government, allurements to a commercial intercourse with us, that none other would perceive, or appreciate so fully. no consideration of an gain or of personal attachment, nor yet of benefits con-

conferred, & are make it obligatory on any Govt
 to retard the advancement or impair the interests
 the interests of the people, whose collective happiness
 and well-being are committed to their charge. The
 recognition of our independence during the session
 of the ensuing Congress at Washington would per-
 haps be as early a manifestation as we could rea-
 sonably expect. But should that session terminate
 without the hand of fellowship being extended to us.
 It would be clearly our duty to look beyond
 the too fastidious sympathies of our kindred Govt.
 and to solicit from the good offices of others, an introduc-
 tion to the great family of nations. I would also sub-
 mit to the Honble Senate, that about the middle
 of September, Col. Alexander Legrand, was commis-
 sioned to proceed via New Orleans, to the Comanche
 Indians, a considerable tribe of predatory aborigines
 who inhabit our Northern frontier and to endeavor
 to effectuate an amicable understanding with them.
 A letter to Messrs. Joby & Co. authorizing them to fur-
 nish an outfit to Col. Legrand is annexed.
 The objects of this meeting mission are of much interest
 the Comanches are comparatively a powerful tribe and
 they entertain an ancient and inveterate antipathy
 to our common enemy. Their enmity, might do us
 much mischief, their friendship is at least harmless.
 But should it hereafter become a disableness to prosecute
 the war by offensive operations the Comanches may be
 rendered valuable auxiliaries, and a free passage through
 the country they occupy may become a desideratum.
 The agents of New Orleans, write me under date of the
 29th that Mr. Legrand has left that city in prosecution of
 his interesting and somewhat hazardous enterprise.

(Signed) David G. Burnett

Executive Department.

Columbia Oct 17. 1836.

To the Hon^{ble}

The Senate and,

House of Representatives,

Gentlemen.

Permit me to call your early attention to a subject of some moment, and of no inconsiderable magnitude, in the grand scale of public interests, which are committed to your superintendence. It has been rumoured abroad, that divers persons, unknown to myself, are actively engaged in making speculations of land, which they conceive may be the subjects of forfeiture under the existing laws, and which they hope to appropriate to their own exclusive benefit. All the ordinances and decrees relating to the forfeiture of real estate, are and of right ought to be prospective, and no individual can be justly divested of his right under such ordinance or decree, until he shall have been solemnly adjudged to have incurred ^{the penalty} of the law, by the instrument of a tribunal of the country, competent to decide such grave and interesting questions. The rights of properties are among the most sacred and affecting incidents, to civil society, and unless these are preserved inviolate, no social compact can long subsist. Indeed it would not conduce to the advancement of human happiness, which is the ultimate object of governments, that a society capable of such gross deviations of duty, as to permit the flagrant violation of those rights, should long preserve a compact: that is so perverted from its legitimate and elementary purpose, and that affords only a cumulative sanction, to the intrigues and artifices and manoeuvres of a few individual speculators. To allow private individuals to interfere and locate lands that have heretofore been conceded to other individuals, or to which other persons have been

an incipient legitimate title, and to hold them
 on the ground of an anticipatory forfeiture, would be
 opening a flood gate of iniquity, through which a fierce
 and flowing tide of evils, would soon inundate the coun-
 try, and baffle the ingenuity of future legislation
 to remove or remedy. It would lay the foundation of sea-
 son variations and interminable lawsuits. And one of
 the greatest ills that can affect a body politic is that
 force insidious litigious spirit, that penetrates the
 inmost bosom of society, and distracts and finally
 destroys the kindest harmonies of social life.
 The volunteers and citizen soldiers who are now or may be
 hereafter be in the field, would be virtually excluded
 from all the advantages (should any such result to indivi-
 duals) to be derived from the lands that may become
 forfeited to the Government. Such an exclusion would
 be equally unjust and ungrateful, and would not
 fail to infuse a commendable spirit of dissatisfaction
 into the ranks of those on whom the country relies with a
 well grounded confidence for protection. It would
 seem counter to the general tenor of the Constitution and
 would especially violate the 10th article of the general
 provisions of the instrument. It would impair our con-
 fidence in our land titles, and present many start-
 ling objections to future emigrants, for it would justify
 a suspicion that there is a dangerous venality in the
 whole land system of the country. It would injure our
 public credit abroad, because the opinion is current in
 the United States that some forfeitures will be due to
 this government, that the possessions so to be forfeited
 are exceedingly valuable, and that the lands of all such
 forfeitures will pass into the public treasury. Such a prac-
 tice would be unequal in its operation by conferring ad-
 vantages on a few who are peculiarly imbued with the watch-
 ful and voracious spirit of speculation, to the exclusion
 of the many who look to the ordinary vocations and labor

of life for sustenance. It would therefore afford nourishment to the pernicious spirit of speculation, which is already too active among us. And especially it would be doing a manifest injustice to the Army, who have a common interest in the public fund, and as I conceive a common right to participate of the public bounty. I would therefore respectfully suggest to Congress the propriety of enacting a law that shall comprehend the following points and such others as may be considered conducive to the result in view. 1st That land heretofore granted, or to which any legal or choate title existed previous to the declaration of Independence, and which had not been lawfully declared to be forfeited, and been re-granted, shall not be considered as forfeited or subject to location by others, on any pretext whatever, until the same shall be adjudged to be forfeited by such competent tribunal as Congress shall ordain and establish. 2nd That no lands comprehended in the foregoing article shall be subject to entrance or occupancy by individuals under any claim or pretext whatever, either before or after such judicial decision shall be made, without the special sanction of Congress previously had. 3rd That all lands that may be so declared to be forfeited, shall be considered as the peculiar property of the nation and to be disposed of, as Congress may hereafter determine for the benefit of the public treasury. 4th That all locations or pretended locations of such lands, made subsequent to the declaration of Independence are, and shall be considered null and void, for the reason that no private individual is competent to determine what land is or is not forfeited or liable to forfeiture, and that any person who after the passing of this law shall enter upon or occupy or improve any such land, or shall refuse to surrender any entry or occupancy of such land, lawfully made shall be deemed ~~as~~ ~~to~~ ~~be~~ a trespasser, and be subject to the penalties of the law as such.

5th That Galveston Island and one league of land comprehending Point Bolivar on the main land be reserved for the special uses of the Government, and to be disposed of as Congress may hereafter determine.

6th That all town sites that have been heretofore appropriated according to the Colonization Law of the State of Chihuahua and Texas, and by the Mexican Government to the purpose of laying of a town or towns, and all the lands comprised in such appropriations, shall be considered as belonging to the Government. provided the conditions presented in the colonization Law, shall be complied with, and provided also that all persons ^{who} ~~that~~ may have improved a lot or lots ^{they conforming to the laws} in such towns shall be entitled to such lot or lots relating to the same. These crude suggestions will present a general view of the subject intended to be submitted.

(Signed) David E. Barnes,
Executive Department

To The Hon^{ble}

Columbia 11th Oct 1836

The Senate and

House of Representatives.

Gen. Kerner

I transmit to you for your consideration and resolution, copies of a contract entered into by the Government, and intervention with the Mexican Hunt Esq. to take a legion of 10,000 soldiers in the United States. At the time the contract was made, it was the prevailing opinion that the lately discovered forces of Mexico, would never be able to subjugate us at as early a period as the Govt of that country would be able to organize and equip them for this remote service. The Government & its agents were naturally solicitous to guard against every imaginable contingency. And as most of the Colonists that were then arriving in the country were for short periods of enlistments. The proposition

of Mr Hunt were considered as highly advantageous inasmuch as it presented a prospect of considerable and permanent military aid, arriving in season to meet the expected invasion. All the documents relating to this transaction are herewith submitted. I would respectfully recommend to Congress the ratification of the agreement entered into with Mr Hunt who I am persuaded is now diligently employed in raising the men therein contemplated, and who would probably sustain great pecuniary damage and deep mortification of feelings from the adoption of a different resolution.

Signed

David G. Burnett
Executive Department.

To the Hon^{ble}

Columbia 20 Oct 1836

The Senate and

House of Representatives.

Gentlemen,

I have the honor to communicate to you a copy of a petition from John Woodward of the city of New York in the United States. This memorial was received in this office some time ago, no answer has been rendered to it, I am altogether unacquainted with the merits of this application.

Signed David G. Burnett.

Executive Department

To the Hon^{ble}

Columbia 20th Oct 1836

The Senate and

House of Representatives,

Gentlemen,

I have the honor to transmit a representation of facts, and other documents relating to John B. Dickinson and J. M. Wolfe signed and subscribed by the late Commissioner, Messrs William L. Austin and Archer A. Dickinson and Mr Wolfe are desirous of being recognized as citizens of Texas, from the date to wit

the 13th of December last, at which time it appeared from the very respectable certificates submitted and numbered 1, they actually entered the service of the country. The return of those gentlemen to the United States seems to have been dictated by a regard to the essential interests of Texas, and that indeterminate and numerous crisis, in her affairs. The amount of benefit that has resulted from their visit, and their exertions there, is comprised in the great and incalculable aggregate of good, which the sympathies and the direct aid, rendered from the land of our nativity, has conferred upon us. To extract from that mass, the specific amount to be ascribed to any particular individual, would be as impossible, as to deduce the measure of gravitation, incident to any one particle of matter. But it is very certain that the exertions of gentlemen, who have been by authority engaged in that important service, are worthy our high appreciation, especially where they exhibit indubitable evidence of their having faithfully and efficiently discharged their duty. I therefore commend the present appreciation to the favorable notice of Congress.

(Signed)

Frederic G. Johnson

Executive of the Commission

October 20th 1838

To the Honble

The House of Representatives,
Gentlemen.

In compliance with the request of H. inst. I have the honor to remark that from many current reports, there is no doubt that many and considerable contributions, have been made to the great cause of human liberty in Texas, by the philanthropic friends of the United States, which have accomplished their ultimate destination, but have been fraudulently appropriated by pretended agents or fictitious friends to sinister purposes. I enclose a document exhibiting all the donations of whatever description that have been actually received by

I omitted, by inadvertence, to mention one issue which was made at Harrisburgh, and which I have now the honor to report. The omission, resulted from the fact that the papers, concerning the transactions, were in the possession of the late Secretary of the Treasury, and never came to my possession until very recently. From the accompanying documents [No 1] it appears that ten certificates of scrip for land, were issued to Robert Triplett, on the first day of April 1836. For which a draft of New Orleans, was received from the King Triplett, and was placed in the hands of Mr Triplett, who represents to me by letter [No 2] that the amount, to wit \$1920 had been appropriated to the use of the Govt. of Texas. I also transmit the form of a certificate of location, made by Robert Triplett, upon Salcedo Island, of 60 acres, of the scrip above mentioned. It will be perceived that something of the nature of a deed was issued to Mr Triplett. That instrument, was obtained in a manner that excited many regrets on my part, and which might have subjected me to a charge of culpable inadvertence. These facts were subsequently communicated to Mr Triplett, who promptly tendered the relinquishment expressed in the letter above referred to. A copy of the certificate of location is furnished in document No 3.

Signed

David C. Burnett

Executive Department

To the Hon^{ble}

Columbia 21 Oct. 1836

The Senate and

House of Representatives

Gentlemen.

Being on the eve of retiring from the Government, over which I have presided through so many trying scenes, it affords me great pleasure, to recommend ^{Mr} Philip Record ^{to your favorable consideration} ^{as a} ^{man} ^{of} ^{high} ^{educational} ^{and} ^{unexceptionable} ^{morals} ^{and} ^{integrity} ^{and} ^{who} ^{has} ^{been} ^{employed} ^{as} ^{clerk} ⁱⁿ ^{the} ^{Executive} ^{Department} ^{from} ^{the} ^{1st} ^{June} ^{or} ^{thereabouts} ^{and} ^{had} ^{many} ^{arduous} ^{duties} ^{to} ^{perform} ^{and} ^{that} ^{he} ^{has} ^{discharged} ^{with} ^a ^{great} ^{and} ^{faithful} ^{and} ^{indefatigable} ^{industry} ^{and} ^{worthy} ^{of} ^{all} ^{commendation}. Mr Record has been promised an office

compensation for his services, but was told in the first instance that Congress would make a suitable appropriation in his favor.

signed

David H. McNamee
Executive Department

To the Honble

Columbia Oct. 1836.

The Senate

Gentlemen

In pursuance of the resolution of the Senate of the 12th instant requiring me to furnish information on divers subjects I have the honor to remark that when the Government did intervene in the affairs of the country was in a very distracted and disorganized condition. The population at and adjacent to the theatre of war was broken up and flying before the enemy, and one general scene of confusion and disorder was spread over the settlement of the Brazos, and all the region west of it. The newly formed administration was by necessity involved in the common disruption, and subjected to many inconveniences. The translation of the Govt from Washington to Harrisburgh was an inseparable consequence of this disastrous confusion. Immediately subsequent to the inauguration of the members of the Executive government on the 19th March, George B. Childress Esq and Robert Hamilton Esq were appointed Special agents with plenary powers to open a negotiation with the Cabinet at Washington as will appear by document A hereto annexed. I would here remark that the members of the present administration and especially myself were very little acquainted with the transactions of the antecedent government, and the general disorder which prevailed at our induction to office, and for a long time subsequent to prevented our ~~expressing~~ ^{inquiring} into the details of our predecessor's management as would have been desirable and perhaps useful to us. The dispersion of papers was incident to the hasty dispersion of the people. The appointment of Messrs Childress and Hamilton was predicated on the high character

character and enthusiastic patriotism of the one and the financial experience, the unblemished integrity and the personal wealth and extensive pecuniary connections of the other.

We have received no communications from Mr Hammon. The intelligence imparted by Mr Childress will be found in the papers marked B. After leaving Washington myself and the cabinet tarried two days at the house of June E. Grop on the east side of the Brasos, where some business was transacted. At this point Thomas S. Green made himself known to the Government. Mr Green actuated no doubt by that philanthropic and chivalrous spirit which has prompted many of the gallant sons of our native country to march to the rescue of Texas in the day of her disasters, proposed to raise and conduct into the country within six weeks or two months a brigade of volunteers. The period at which this proposition was made, was one of great gloom and despondency in Texas, and it therefore addressed itself with plausibility to the warmest predilections of the Government. The proposal was received to with avidity and Mr Green was invested with a commission as Brigadier General in the army of Texas, this commission by an irrefragable implication was prospective and conditional. Prospective as relating to the time his promises which were the predicate of his commission, should be complied with and conditional as depending on the fulfilment of those promises. A ^{copy of the} commission is appended and marked B.C. - In order to facilitate the laudable enterprise of Mr Green we conferred on him a power to negotiate loans, not to exceed fifty thousand dollars and for other purposes, as will appear by reference to the accompanying document D. Mr Green was an entire stranger to myself, but was favorably known and reported, by two members of the Cabinet - Mr Canow and Mr Potter. The operations of Mr Green under his commission and financial authority have not been officially reported to the Govt but enough has been imparted to the Government, to make it very evident that his original promises have not been complied with. He has never introduced the money of a brigade into the

service of Texas, and I believe it is true that the most of
the volunteers he did bring were ultimately enrolled as ~~three~~
months men and have been discharged as such. Mr Green
arrived in Velasco on or about the 30th of May accompanied by a
small portion of his contemplated brigade. In consideration
of the many difficulties he had encountered, the large sacrifices
he had made, and the prodigious exertions he had bestowed
as represented by himself and others, I consented sympathetically
with the approbation of the Cabinet to confirm his commission
and receive him as a Brigadier General, although in strict
justice he was not entitled to that rank. The accounts of Gen
Green have been directed to be referred to Congress for ad-
justment. In connection with and further explanation of
this subject I transmit a copy of a letter which I addressed
to General Green on 23rd May directed to New Orleans, in
which I believe met him at Galveston Island. It is marked
F. The commissioners to the United States appointed by
the late provisional government Messrs Austin Archer
and Wharton have been sometime absent on their mission
at the instigation of the present Government. They had ne-
gotiated two loans, in New Orleans, the general acts in re-
lation to which I therefore have heretofore had the satisfaction
to communicate to you. The final adjustment of those
transactions has devolved upon Congress and to facilitate the
investigations incident to them I have the honor to submit
various documents pertinent to the subject. Among others
is an elaborate communication from Mr Thriftlett. I may
apprehension the letter of the Secretary of State to Mr May
dated Velasco May and marked E. It presents the whole
matter in controversy in a very conspicuous light and
is entirely consonant to the letter and spirit of the modified
contract. The amount of money realized by the commissioners
on these loans has been fully reported and the distribution
of it is exhibited in their accounts current now on file in the
Auditors Office. The same commissioners subsequently negoti-
ated a loan in the city of New York for one hundred

thousand dollars, ten per centum of which we did not ^{have}
 this contract ^{being} fully presented to you by my speech &
 communication of the 13th instant. Should any further informa-
 tion be required it, will afford me pleasure to render it.
 The ulterior transactions of those commissioners have consisted
 principally of personal and diffused efforts to explain to
 the citizens of the United States the nature of the contest
 in which we are engaged, the causes that led to that con-
 test, and the results that are likely to accrue from it. In
 these respects I doubt not they have rendered to Texas many
 many and valuable benefits, the influence of which is
 rather felt than discerned. They have also made repeated
 applications and expositions to the members of the Govern-
 ment at Washington City touching the recognition of our
 Independence of Texas, which will certainly prove
 to the benefit of our country. On the 27th inst. I recd a
 letter of which a copy is subjoined, marked ~~it~~ was ad-
 dressed to, Mr. F. Austin and others apprising them of the
 appointments of Peter H. Grayson and James Collins-
 worth Esq, to represent this Government at the city of
 Washington and inviting the return of these gentlemen
 who were there charged with peculiar duties. It gives me
 unequalled pleasure to state on this occasion that the
 record of those gentlemen proceeded from motives alto-
 gether extraneous to personal considerations, and that they
 are no cotyzees in the country for whom I entertain a more
 profound respect, or in whose intelligence, nobility and pa-
 triotism I repose a more implicit confidence. While at Ham-
 burgh the health of the Hon. Signr. P. Barton Sec. of
 State elected by the convention became very infirm and
 precarious. He consequently applied for and obtained per-
 mission to visit the United States. Knowing that Mr.
 Carson had been a member of Congress of the nation
 and that he still retained an extensive influence there
 we concluded to invest him with diplomatic powers in
 order to enable him to cooperate with the gentlemen at

already at the city of Washington embracing the great interests
of the country. He was accordingly furnished with the authority
defined in document G. of this series. The correspondence from
Mason have been of no very particular interest. Mr William
Bryan of New Orleans, had been appointed general agent
for Texas by the commission. Mr Joseph H. Smith (who will
appear by document E) on 14th Jan has named Mr Edward Hall
of New Orleans, as appointed agent for purchasing land by the
same gentlemen on the same day. Those gentlemen were called
their duties under the many embarrasments incident to limited
means until the — day of — when the general agency was
conferred upon Mr Robert Triplett whose high character as a ca-
libatist and a financier had commended him to the active
confidence of the Govt. But Mr Triplett previous to his leaving
Texas tendered his resignation which took effect on the 1st July
when evening which accordingly went into operation at that time.
Mr Triplett's transactions as agent were few and far apart
and he in his office in N. O. continued the a-
gency of Mr Bryan by whom the actual operations were con-
ducted. By information received from various sources the
Government were induced to believe that the agency in Texas &
Oreans might be advantageously changed and the agents
necessitated by the existing state of affairs and the manifestly
want of representation to be had at their headquarters were inde-
terminable. In a way it was according to
disposition by letter dated 29th May a copy of which may
be seen in document A. That about the same time Mr
Thomas Linn was appointed General Agent and notified
with power to receive all deposits for moneys of the Republic and
Government. And Thomas Linn and others were authorized
to accept of donations and agencies relative to the
General and local aid and relief on immediate and other
well conditioned objects also the General Transport and
intermediate supply of the Office of the Civil Government
in Texas. It was ordered to send them to be prepared
the report of the army and of the Navy. These documents
are now in my possession during the course and devolution upon

manner in which all the departments of the Government are
 conducted, during the continuance of the war,
 and to the extraordinary condition of the administration.
 The list marked B. enumerates the officers of the army
 and naval commissions & the institution of the Gov. and interior.
 This list is probably incomplete, and it may be incorrect,
 as it is adopted from a memorandum found in a
 trunk pertaining to the War Office. Paper A is a list of
 the army as at present. This also is probably deficient
 owing to causes similar to those that have occasioned
 more or less embarrassments and perplexity in all the
 operations of the Government, the result of immediate haste
 & haste. This document (B. note) furnishes the requisite information
 and several points connected with the Navy. And the list
 marked D. presents a table as exhibit as we can fur-
 nish of the officers belonging to that interesting and
 valuable portion of the national force. The Schooner
 Defiance is probably at this time arrived at Galveston or will
 soon be there and waiting orders. The Schooner Bullock com-
 manded by Capt Wm. A. Hurst disappeared from our coast
 in a manner somewhat mysterious, about the last of July.
 For several weeks her absence excited painful speculation
 as to her fate. But eventually Messrs J. J. & Brother
 informed me that the Bullock had gone to New York.
 What prompted Capt Hurst to the unwarranted abstraction
 of his vessel from the service I cannot surmise. Be his induc-
 ments what it may his conduct is highly reprehensible. How-
 soon he may be expected to arrive is uncertain. As soon as
 I heard of his unauthorized destination, I despatched a pe-
 rmitting order for his ^{immediate} return. Sometime in the month of Au-
 gust Capt Jeremiah Brown presented to me the Schooner
 Quinovic required considerable repairs, and that Brown was
 exceedingly dissatisfied and insubordinate; and he recom-
 mended that she should go to New York. Allying that it
 could be better fitted out at less cost, and without the con-
 sumption of much more time, in that city, than in New.

Oleand, at that sickly season of the year. The views of
Capt Brown appeared to be forcible, and I assented to
the measure. He accordingly sailed intending to anchor
his vessel at the Balize, where she could winter, and pro-
ceed himself, to effect some necessary arrangements with
the women there. Shortly after the sailing of Capt Brown
the lately contemplated expedition to the Westward was ex-
pected to go into effect and the cooperation of the Navy
was desirable. An order was despatched to New Orleans remain-
ing the return of the Provincille that order reached Capt
Brown at the Balize, but not until he had discharged
the major part of his crew by which his vessel was rendered
totally unfit for active service, and Capt Brown actually
saw confident by the Superintendent, concerning the expedi-
ence the previous intention of "proceeding to New York."
Copies of the several papers relating to this transaction will
be found marked R. The return of the Provincille may
be daily expected to be for, should no cause of inter-
ference in New York, and no disaster befall her on her
voyage. The President General Stanton and the
members of the Executive Council, and also the
still at Washington at the house of Mr Phelps. I immediately
after the receipt of Congress that the Mr. Lott, would resume
in charge of these concerns. I directed the men to be taken
on board from there which was accordingly done. The prison
now been the immediate custody of Capt W. H. Tallard, who
has a guard consisting of forty to fifty men. Capt Tallard is
expressed a wish to be relieved, and the projector of the Exe-
cutive has also expressed a desire that the prisoners should
be transferred to other quarters. The guard and the prison-
ers, considering many inconveniences which I trust will
soon be remedied. The prisoners of the Office American
prisoners were directed to be removed from Sargolow island
to the town of Liberty on the river Trinity and placed in
the general supervision of William Hardin the Mary Judge
of that district. A schedule of them is attached marked
S

1st The noncommissioned officers and soldiers, now on the
 on and remain on Balveston Island excepting such as have
 been distributed among the citizens. Many prisoners are
 distributed soon after their capture, by whose authority I
 know not, and some have been so disposed of by the Execu-
 tive Govt. A list of the distributed, so far as I have been
 able to ascertain them is appended marked "H".
 (Signed)

Wm. H. G. G. G.

Executive and Council
 Council of the 13th Dec 1836

The Senate and

House of Representatives.

Gentlemen

I am induced by a natural
 desire to exhibit to you and through you to our constituents
 every act of my administration which carries with it enough
 of importance to excite a common interest, and also by a sense
 of duty to an unfortunate individual, whose case may possibly
 require your interposition, to submit the subject of my present
 communication. On the day of last March I met the
 William McNeill father and son, now convicted in the
 Municipal Court of the Municipality of Sydney, of the murder
 of Alfred Carril, the first being charged with carrying the weapon
 as principal. The sentence of the law was pronounced upon
 them and the time of execution assigned for the 23rd day
 of March. I was employed as counsel for the "innocent and
 acted as such throughout the trial. During the recess of the
 Convention of March, I was further engaged to present a petition
 for a pardon to be extended to the convicts, and repaired to
 Newington for that purpose. Loren Smith and Lieut Governor
 Robinson declined acting on the subject. Consequently I made
 application to the convention and that body only granted a
 respite in both cases until the day of The institution
 of the Great Interim Executive and by necessary sequence
 the power to do so was transferred to the Executive

Government, the efficacy of my determination relative to this is
evident. I have conducted the petitioners, and more exercised
a portion of the Executive power, I was not insensible to the
circumstances of my situation and I very sensibly determined
not make known my determination to no officers
at all, and to exert no official influence in relation to that
affair, and this determination I have strictly adhered to
and the whole matter was left, with the Cabinet, until
after the Court was settled at Harrisburgh, the prisoners
were ordered to be sent to that place. The Hon. Mr. H.
Smith arrived there. He has been taken sick, and
will be taken sick, by the way, and the grand jury on
Friday. While I was absent from Harrisburgh on a short
visit to my family, Mr. Hardiman the Sec of Treasury
served to the Prisoner William Mc. Smith, that he
had better go to the army and die in the field, than
be hung, or words to that effect. The prisoner seized
himself of the hint with a natural avidity, for he did
not understand it as conveying a conditional promise
of pardon. He had been made to understand that his
application related exclusively with the cabinet, and my re-
turn to Harrisburgh the next day languished in the
Prisoner, and suffered much solicitude at his absence
until Mr. Hardiman informed me of the occurrence of
the day previous. The prisoner went to the army, and
as I have been advised behaved well in the battle of Fair-
banks since that time I know nothing of him, but to my
opinion it appeared evident that he would not be
a successful prisoner, compelled with on his part, to a
good pardon. The father of Mr. Smith I am informed
expected his escape during the general confusion of
the times, and resided the while where he remained
to get a promise of pardon was extended to him as I
am aware of. And the more solicited in respect this
subject to the Hon. Congress, because I am told it has been
made the subject of calumny, by persons who seem gratified

being deposited in the hands of my administration
 signed United States
Executive Department

To the Hon

Columbia Col.

The Senate and

House of Representatives

Gentlemen

The Convention of March, to whom
 was committed the high duty of forming a constitution,
 for the benefit of the People of Texas, in the exercise of their high
 powers conferred upon them, deemed it advisable to establish
 a government ad interim. The object of this temporary
 government was doubtless to prevent an interregnum
 in the administration of public affairs, by filling up
 the interval that must intervene, the adoption of a con-
 stitution, by the organic assembly and the period when a
 constitutional government could be fully organized,
 and put into operation. And it is equally evident that
 the convention did not contemplate the continuance
 of the Govt ad interim, after such organization, should
 become practicable. It was expected that the
 earlier day than was anticipated, at the disbanding
 of the present executive governments, and the ^{consequence is a} succeeding
 of two distinct, and it may be discrepant systems. This
 may happily lead to incongruities and inconvenience,
 may result in injury to the public weal. It is especially
 deplorable that the two great departments of the Constitutional
 Government, the Executive and the Legislative should con-
 tinue their functions simultaneously or nearly so, in the
 meanwhile, would conduce to the harmony of their op-
 erations. And harmony in the executive branches of Govt is
 a great desideratum. I assure you, Gentlemen that I en-
 tertain no aspirations of ambition, and no other feeling,
 that could prompt me to present the slightest ob-
 stacle to the successful issue of the great enterprise in
 which we are embarked, and which involves the

of millions, who will succeed us, in this
body. The communication on the subject of
the, for the requested information from me, is nearly
completed and ready for transmission. It is
that is expected, which may be done in the course of the
month. I am therefore prepared to refer from the direct
appearance to which the unadvised copy of the
communication which I have presented to you as a
testimony is a sufficient indication of the confidence
which the President reposes in me.

Respectfully

Executive Department
Columbia 29th Oct 1874

To the Hon. the

Speaker of the

House of Representatives

Gentlemen

The period having arrived
when in the administration of Congress the constitutional
government may be completely organized in all its branches
and as it is a duty of organization to be desirable,
I request the Congress to consider my recommendation for
obstacles to the immediate inauguration of the Executive
and the House of Representatives discharged my duty to my country
and to the people of the United States and with a joyful and
sincere feeling, shall retire from office and the
of my own conscience which I esteem more than the
of the House of Representatives.

Respectfully

Charles S. Sumner

Executive Order,

The situation of Texas, seriously demands, that her almost, invincible energies, be put in requisition, and that every man unless actually incapacitated by age or infirmity do immediately take the field, and meet the untold millions of men, who have been permitted to desolate our country. Much of action, and prompt energetic action, is necessary to our salvation, from an odious and detestable tyranny; or from an inglorious capitulation from the enemy we have so long labored to cultivate and repel from our borders. Experience has demonstrated that an efficient unity of action cannot be had by the ordinary operation of the Law, that many men are found among us, who are willing to rest quietly at home, while their more noble and patriotic fellow citizens, are sustaining all the burden and difficulty of the war. These men unworthy as they are, doubtless will not expect to partake of the ultimate benefit of a struggle from the dangers and sufferings which they seek to avoid by every shameful and unworthy subterfuge. If Texas is to be independent; as it right she ought to be, she must be made so by the united exertions, and the common sacrifice of her citizens. To defer it upon a distant future, is no less dangerous than to neglect it. They have aided us, and will aid us, with admirable patriotism, and political skill and ~~and~~ have shed their blood in our behalf, and we must aid ourselves in the most efficient manner we are worthy of aid. We have in J. A. Garza & Burnett President of the Republic of Texas, as well as the Council and Judges of the Supreme Court in the exercise of the powers vested in the Executive Government do order decree and command.

1st That all Texas and every inhabitant thereof shall be and the same are hereby made subject to martial law.

and so to continue for the term of three months or until the enemy, with his forces shall be driven beyond the river Rios.

2 That Texas shall be divided into military districts the limits of which shall be directed the same, as the municipalities under the civil political organization.

3 That for each military district there shall be appointed by the Executive government, three discreet citizens who shall constitute a committee of vigilance and public safety and to whom shall be committed the military organization of their respective districts.

4 The committee of vigilance shall be authorized to equip horses, oxen, teams, guns, and other munitions of war for the public use, whenever the emergency of the country requires it, but they shall in no instance, press any horse or other property that is necessary to the convenience or safety of any family or the fire and only horse or gun, of any man who joins the army as a volunteer or otherwise; and they shall in all cases give receipt to the owner for any property, insure him, expressing an ample appreciation thereof.

5 The committees of vigilance shall take a full and minute census of all the free white inhabitants of their respective districts, over the age of 18 and under the age of 50, and a copy of which census shall be carefully preserved by them and a duplicate sent to the Department of War.

6 All persons citizens of Texas over the age of 18 years and under the age of 50 years are subject to military duty and are required forthwith to report themselves to the committee of vigilance of their several districts and to enroll themselves for immediate service.

7 So soon as a company of 50 men shall be enrolled they shall proceed to the election of their officers and shall repair forthwith to the head quarters of the army.

and enter upon duty.

Any person being a citizen of Texas who shall refuse or neglect so to report himself within 15 days from the publication of this decree in his district, shall be held and considered as refusing to participate, and any person who shall report himself, and refuse or fail to enroll himself, shall be considered as a deserter and be liable to the pains and penalties of the military laws.

The committees of vigilance for shall take suitable measures to secure the safety and comfort of the families within their districts and shall appoint from the heads of those families, one man to every five families, whose duty it shall be to take special care that the families under their charge, are sufficiently furnished with food and wholesome provisions, and if need be that they be removed to some place of safety. They shall remain with the families and in no wise abandon them on their own discretion. In case there are no public stores to be had, the committee shall have power to appropriate for the use of the suffering, being regulated by the provisions of the 4th article of this decree.

President's Address

President said

Gentlemen of the Convention,

No attempt to express the sensibilities of this impressive occasion would be more difficult than to be executed by the unsolicited suffrages of this honorable and intelligent assembly. The people's delegates to administer the Executive authority of this new born but ancient nation is a distinction that might infuse both pride and diffidence into minds vastly more exalted than mine, with the appropriate manifestations for a station of such high and so soon responsibilities. But Gentlemen and

Fellow citizens, while I am sincerely disposed
 to acknowledge my too obvious inability to ren-
 der full justice to the confidence manifested
 in this elevated appointment, I am as yet
 with equal truth an inflexible determination
 to exert all the energies, which Divine Providence
 has conferred upon me, for the advancement of
 the one single so dear and interesting to us all
 the Independence of Texas. To you gentlemen
 of the Convention and to your Federally-loyal
 the glory of having pronounced the "right and
 I trust irresistible decree." That the people
 of Texas do now constitute a free sovereign
 and Independent people, and to us
 and each one of us and to each and every
 citizen of Texas pertains the equally glorious
 but more arduous duty of sustaining and
 bearing onward to practical perfection,
 that grand and illustrious expression
 Texas is and has been for it stands the limit of
 my peculiar affections: and to aid her in
 this day of her trial and I trust of her glory
 would confer upon me a nobler gratification
 than could be obtained derived from the attain-
 ment of any other earthly object. But gentlemen
 I am only one individual among a host:
 and my single efforts would be impotent
 and unavailing. Texas demands the whole
 most energies of every citizen. We are engaged
 in an arduous and difficult contest. Our
 enemy is powerful in numbers and arms and
 that we also are strong in the multitude of our
 cause and in that invincible inheritance
 of gallantry which we derived from the illus-
 trious conquerors of 1776. If the highest courage
 were alone sufficient to accomplish our great

enterprises, there would it had be safe, and
her Independance established, beyond the
utmost efforts of her enemies, to impair. But
courage is only one among many virtues, and will
not alone avail us in these dire circumstances.
The valiant efforts of brave men, may be
easily defeated, where their united might
cannot triumph over ab. resistance. Let us
then Gentlemen lay our heads on the anvil
and our hands together: and take advantage
of better feeling one interest and one oppo-
sition, look with a single eye and grasp of
arm, with a single soul to one common
object. The return, plain of Sixty, the have
diminished her power, cut her from the impro-
bable condition of a slave, and a state
of weakness, will conduct her through
many difficulties, to the springtime of her
civilization. But at the moment, we are
about to expose our own faults, and partake
of the ~~same~~ ^{perils} of our many trials, the
institutions of Mexico, burst asunder. The
weak, republican Government, under which
we have labored ever is now exposed, to a
crisis, such among the United Mexican
States, has equality and brotherly sub-
jection, and the Government of the North
is allied with the interests, passions, the
minds, and passions and passions, where
centered in the interests of peculiar and civiliza-
tion, and to be united in an union, by a single
feeling, and united in the annals of many in
the past, and many more, their own Government,
the only power that remains in the world, to
enter the new system, and it was shown, that
and our belief is to relinquish, their only strong

[illegible]

The spirit of speculation has been actively and sea-son-ly engaged amongst us; and hence have arisen many discrepant interests, and a corresponding discordancy of feeling. Let us be admonished, taken a lesson, by the concurrent testimony of all history, to avoid the dangers that are usually consequent upon division, and which are fearfully aggravated in circumstances like ours. Let us recollect that while we are disputing about our little individual interests, and anxiously to regulate our respective spheres in the midst, we occupy the common enemy are advancing upon us and threaten, with an instance, that will derive confidence from our disagreements, to conquer all battles, and to exterminate all unmerciful enemies. Gentlemen of the Convention, we have undertaken a great and glorious and hazardous enterprise; and each of us, and every citizen of Texas, is to ply his industry and talents to its accomplishment. To effect this great object will require, the service of many and various virtues. The display of the most pure military virtues is not alone sufficient. We must also gloriously practice civilian virtues, that we may be able to exercise. To appreciate the mild and civilised but more useful attributes, which render nations, as well as individuals, respectable, under all the vicissitudes of time. To be able to persevere, trust, to establish a name among the nations of the earth; and let us be watchful not to let all things that that name shall not imply a declining veneration on that illustrious people from whom we have sprung, nor entail reproach on our own descendants. We are acting for posterity; and while with a devout reliance on the God of battles, we shall all back the fleet that is breasting the deluge, our conduct, let it present to the world such testimonials of our moral and political rectitude, as will compel the respect, and not constrain the sympathy.

overwhelmed attacked by 200 men. But this
 bloody victory cost the enemy 800 men. Col. Fannin
 who occupied Goliad with 300 men was attack-
 ed by the ~~invaders~~ who committed acts of atrocity
 in St. Patricio and Refugio. They met in these
 defenceless villages a vigorous resistance in our little
 garrison at Goliad. 3^d. The enemy stringing them-
 selves daily under the walls of Goliad, and the Col.
 who had divided his forces with those at Refugio
 believing it better to retire, destroying the fort ac-
 cording to the orders of General Houston. 4th. Col
 Fannin was afterwards attacked by a superior force
 of six times its number, but not being dismayed
 in his undertaking, he and his little division pur-
 sued a combat with the enemy (according to infor-
 mation received) was eighteen hundred. Fannin
 and his army not being able to undergo the fatigue
 was cut up and destroyed by the enemy. the fate of
 this brave chief nor of his fellow soldiers is not known.

5. In the mean time a Mexican division advanced
 by the south on the Guadalupe and Colorado whose
 numbers according to information amounted to 1500 men.
 We had a small force under the command of Gen. How-
 land situated at Gonzales on the Guadalupe. The
 Mexican General deemed it prudent to retire for rea-
 sons which are only known to those who direct an organ-
 ized army. But after having remained a few days at
 the Colorado, on the road to San Felipe continued
 to retire until he occupied the fort on the Brazos
 where the army now is. The enemy has follow-
 ed the movements of our army with stealth
 which indicated the respect which has inspired
 them of a force composed of free citizens commanded
 by a valiant and talented chief. Since the commence-
 ment of the war Texas has not had a greater probability
 of a happy result. 7th. The strength of the enemy has

been diminished considerably, by the losses in battle through sickness & desertion and in garrisoning of the towns. Head Quarters are like fugio, and other towns. Our strength is daily increasing and the Union Leagues are anxious for battle. The men of Santa Anna have nothing to expect but death or sickness. Our citizens fight for their homes and families secure of success. I now citizens over look exerts each and every ^{one} after placing his family in security to fly and succor his country in the moment of danger. We are sure of success if we do not abandon our position in the field and we will disgrace our country if we are deaf to this call.

Executive Department of the
 To the People of Texas. Republic of Texas
 Austin Texas. Washington D.C. March 11. 35

Gen. Houston is at his post on the frontier with eight hundred men and reinforcements constantly arriving. Our army is in high spirits and full of confidence. It is in the midst of the security which this state of things inspires. The officers of Government are confident and determined. I need be aware that a portion of the people of Eastern Texas, under the influence of evil and groundless rumors are leaving their homes and by the circulation of false news may prevent others of their countrymen from repairing to the assistance of their country where alone their homes and families are to be defended, under these circumstances I have thought proper to issue this my proclamation to the people of Texas, calling upon them to organize themselves under the laws of their country. I call upon my countrymen to repair to the field forthwith to defend your country against all enemies from whatever quarter they may come. The officers of your

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Government will take special care to obtain accurate information of the movements of the army, enemy and our own army, and keep their fellow citizens constantly informed on all matters, which may affect their safety. To the field, then, my countrymen, to the standard of liberty, and defend your rights in a manner worthy of your sires, and yourselves.

(Signed,
Proclamation.

Citizens of Texas

But, recently called to discharge the executive duties of your Government, it is with expressible regret, that I observe the slightest indication of alarm among us. To provide for and protect our wives and children, is a sacred duty prompted by nature, and sanctioned by every man's feeling. But the manner of discharging that duty we may commit many and fatal errors. The best security for families is to be found in gallant bearing before the enemy. Our army is in the field, preparing to meet and as it ever has done to repel the enemy. Gen Houston calls for reinforcements. A small accession to his noble bands will enable him to advance and speedily chastise the presumption of the invader. Rally then Texas citizens to the standard of Freedom. Let not every idle rumour circulated perhaps by the artifices of the enemy, paralyze your hands or divert your thoughts from our one grand purpose the Independence of Texas. By an unbroken unanimity of voice, you have declared that Texas should be free, sovereign and independent. Let us with equal unanimity resolve to sustain that declaration, to ratify it with our own hearts, and if need be, to seal it with our blood. Our fathers achieved their emancipation, and were abundantly rewarded for their toils. But they persevered.

6
through many reverses, I surmounted many re-
versed disasters: and gloriously triumphed. We have
sustained no reverses. The fall of the Alamo is the
surest guarantee of our ultimate success. The Alamo
standard who so nobly perished there, bequeathed
to us an example which ought and will be imi-
tated, and have inflicted on the enemy such a terror
and a loss, that is equivalent to a defeat. Rally then
fellow citizens to the standard of your country;
while the army is between the enemy and our families
they are safe. Reinforce and sustain that army, and
our women and children are secure from pollution. The
Government will remove to Harrisburg, but that re-
moral is not the result of any apprehension that
the enemy are near. It was resolved upon as a mea-
sure conducive to the common good. Again I conjure
you fellow citizens. Listen not to every rumor. The I
runt trumpet sounded through the country. The Govt
is perfecting arrangements as rapidly as possible to
insure the transmission of official intelligence so which
they and you may rely with confidence. Let us acquit
ourselves like men; give up the of our minds, and by
one united prompt and energetic exertion turn back
this in "otent invader, and planting our standard
on the banks of the Rio Grande dictate to him the
terms of mutual recognition.

Signed.

Proclamation

Whereas the late provisional governments of Texas did
antecedent to the declaration of Independence, issue
certain letters of marque and reprisal, and whereas doubts
are entertained of the competency of that Government to
exercise such power. Therefore I, David G. Burnet, Pres-
ident of the Republic of Texas by and with the
advice and consent of my Cabinet, and in pursuance
of authority vested in me do hereby declare and.

certain, all such letters of marque and reprisal
and all commissions or other authorities touching the
same to be, and hereby the same are hereby suspended.
And all person holding or pretending to hold such
letters of Marque and Reprisal or any commission or
authority touching the same, are commanded to return
the same, and to report themselves forthwith to the Secy
of the War of this Republic here at Harrisburgh
this 25th March 1836

Signed David G. Burnett.
Proclamation

Whereas the exigencies of this country require the utmost
efforts of its physical power. Therefore I David G.
Burnett, President of the Republic of Texas, by and
with the advice and consent of my Cabinet, and in
pursuance of authority vested in me, do decree and
ordain that. All commissioned officers of the army of
Texas do repair forthwith to the Head Quarters of the
said army, and report themselves to the Commander
in Chief; and in case any commissioned Officer shall
fail to report himself within ten days, from the publica-
tion of this order, the commission of said Officer, is hereby
declared to be cancelled, revoked and of no effect; and
such officer is made fully subject to draft under the Or-
dinances to organize the Militia of this Republic. Provide
that this Decree, shall not in any wise affect or prejudice
such officers or their commissions, as are absent or detained
on public business, or absent by permission of the proper
authority. Done at Harrisburgh this twenty ninth day
of March A.D. 1836.

By the President

Thomas J. Rusk

Sec of War

Proclamation

Fellow Citizens,

Your country demands your aid

The enemy is pressing upon our families, the wives
 and children of your sighted ones are driven from their
 friends, and compelled to take shelter in woods and
 forests, while the enemy gathers confidence and auda-
 city from every disaster we encounter. Under these pain-
 ful circumstances, equally reproachful to our national
 character, and dangerous to our national existence, too
 many citizens are lingering in idleness and lethargy
 at home or ingloriously flying before an enemy, whom
 we have hitherto affected to despise. Is it possible
 that the free citizens of Texas, the descendants of the he-
 roes of '36 can take panic at the approach of the traitor
 minions of a despot, who threatens to desolate our
 beautiful country? Let us rather "rush to the rescue"
 Let every man able to hold a rifle or wield a sabre
 fly to the army, and soon, very soon your families
 will be safe. Our country cleansed from the pollu-
 tion of every hostile fort, and the "lord of misdeeds" re-
 smiles benignantly over the land. Fellow citizens!
 The blood of the martyrs of freedom, the heroes of the "Win-
 no" call aloud for vengeance. The minions of despotism
 the founders of priestly ambition are waging a merciless
 and exterminating war upon us. A righteous God will
 sanction: humanity itself demands a severe retribution.
 We must teach these ruffian tyrants, that the rules
 of christian warfare may be observed too long, that
 while our humanity aggravates their cruelty, that huma-
 nity itself, becomes cruel and must be abandoned.
 But let vengeance fall upon its proper victims. The mis-
 erable ignorant crowd who fill the ranks of the enemy if
 not guiltless, are unworthy the ignominious retaliation
 of a magnanimous people. Let their leaders learn by
 bitter experience, that Texans can be just, while they
 desire to be generous and humane. Citizens of Texas
 we call upon you in the name of liberty, of all the hopes
 and enjoyments of this life, to repair to the army. Let

a sufficient number of men be selected from each neighborhood, to provide for and protect our wives and children. But let the able bodied, the active the gallant, those whose hearts beat high to every call of duty, turn their thoughts to the best security of our country; and their arms to the enemy. On our gallant army depend the hopes of Texas. Reinforce that army; but let subordination and discipline prevail; submit yourselves to the rigors of the camp for a season, and halcyon days of peace and prosperity will reward your trials. Let every man who can repair to the army. The gallant Hamilton will lead you to victory. The stake is glorious, let it be glorious by men. Many men prove recreant, in this hour of his country's need, let that man be marked, and the indignation of the people, the slow unmoving finger of scorn, will hold him in perpetual denision; The laws of the land will be rigidly enforced. The times call for decision, for action. Those who are not for us are against us. I subjoin an extract from the Constitution. Its provisions must and will be inflexibly observed. Let no man hope for exemption. We are interested, all must abide the same fate. The law makes no distinction, none will be made. United firm and invincible is our motto. Let it be inscribed on the crested helmets of our enemies; and generations unborn will participate in our reward, and bless the hero that will surround this era of our country's redemption from an ignominious servitude.

Extract from the Constitution framed and adopted by the Convention at Washington Tex:

All persons who shall leave the country for the purpose of evading a participation in the present struggle, shall refuse to participate in it, or shall give aid or assistance to the present enemy, shall forfeit all rights of citizenship and such rights as they may hold in the Republic. Done at Harrisburgh this twenty ninth of March A.D. 1836 and of the Republic the first, Signed: *James T. Smith*

Proclamation

Whereas the 9th Article of the General Provision of the Constitution of the Republic of Texas provides that the importation or admission of African ^{or} negroes into this Republic, excepting from the United States of America, "is forever prohibited, and declared to be piracy" and Whereas the African slave trade is equally revolting to the best feelings of our nature, and to the benign principles of the Christian faith, is equally destructive to national morals, and to individual humanity; and Whereas the most enlightened and powerful nations of Christendom, are exerting both their moral influence and physical force, to suppress that odious and abominable traffic; and Whereas it is the imperative duty and the high privilege of the Government of Texas to contribute in all practicable and legitimate means to the effectual prevention, in its own jurisdiction of a trade, so atrocious and disreputable. Therefore I, David G. Burnet, President of the Republic of Texas, by and with the advice and consent of my Cabinet, and in accordance with the 9th Article of the Constitution, aforesaid do command and require all Officers naval and military, and all collectors and other functionaries of the Govt. to be vigilant and active, in detecting and defeating any attempt to violate said article, and to seize, arrest and detain in safe custody, any person or persons that may be found violating or attempting to violate the same, and to stop, seize, and take possession of and detain any vessel or vessels, with their equipment tackle &c, and any boats ^{or} ~~any~~ ^{other} water crafts of any description attached thereto, on board of which any African or negroes so attempted to be imported in contravention of the said article, may be found, and to detain any and all such negroes wherever to be found, until the further decision of the Govt, can be had in relation thereto. Provided that any officer making

such seizures as shall as soon as may be practicable
report the same, with the relative facts, to the Sec of the
Army. Done at Harrisburgh this 3rd day of April 1836
and of the Independence of the Republic the first

Signed David G. Burnett
Proclamations

Whereas, from the peculiar circumstances of Texas
making it necessary to increase, by all proper
means, the physical forces of the country: it has here
before been thought expedient to issue military
commissions, to individuals, to promote this object:
and whereas, it is important to place the military
establishment of the country on a definite and permanent
footing: Now I David G. Burnett, President
of the Republic of Texas, by and with the advice and
consent of my Cabinet, and in pursuance of authority
vested in me, have ordered and decreed, and do
hereby enter and decree, that such commissions are,
and are intended to be altogether, prospective, and
of no positive force or effect until the number of men
corresponding to the rank and command of such com-
missions, respectively, shall actually enroll them-
selves, and be received into the Army of Texas:
and until the Governor or Commissioner, shall
submit himself with an accredited muster roll
of his forces so raised, and introduced by him to
the Sec of War of the Republic. And it is further
ordered and decreed, that any person, whether spe-
cially commissioned or not, who shall introduce
into the military service of Texas, for a period of
one year or during the war with Mexico, any num-
ber of able bodied white men, exceeding 50 shall be
entitled to a commission, with the pay and im-
munities appertaining thereto in the following rate
to wit: He who shall introduce, into the service of
Texas, as aforesaid, one thousand men, shall

be entitled to the commission rank pay and emoluments of a Brigadier General; for the introduction of five hundred men to the commission of a Colonel; for three hundred to that of a Major, and for fifty six to that of a Captain. Provided that no person, shall in virtue thereof, be entitled to any pay rank or emoluments until he shall have introduced at least fifty six men as aforesaid, and provided that the men so introduced shall enroll themselves into the service of Texas in the manner and on the terms expressed. Done at Harrisburgh this third day of April A.D. 1836 and in the first year of the Independence of the Republic.

By the President
Barley Hardman
Act Sec of State.

David G. Burnett

Executive Department

Harrisburgh 9th April 1836

Follow Citizens of
the United States.

It affords me great pleasure to communicate to you, the enclosed copy of the report of Capt Brown of the Schooner Quincilla. The capture of the big Docket is not only highly beneficial to Texas by furnishing us with a large supply of provisions but by enfeebling the operations of the enemy, and contributing to cut off his resources and rendering it more difficult for him to obtain supplies for the future, through the same circuitous channel. The Government will always take pleasure in imparting to the citizen every species of intelligence on which they can rely and which is calculated to cheer and animate us in the glorious struggle. Let us be active firm united and resolved upon success and abundant success will certainly crown our efforts. Texas must and will be free and independent. The blood of her martyrs demands a speedy vengeance. Our

well as my well-remembered that vengeance on the base
abominable foe. Rally then fellow citizens to the standard
of your country, and lose not the golden opportunity
to rescue your country and to punish her dastard and
merciless invader. The enemy are resolved to exterminate every
American from Texas. Will we be so extirpated and tamely
surrender all the benefits of our past toils, and all our
hopes of future comfort to the impotent threats of an ene-
my, whose soldiery we despise, and whose treacherous
barbarity we abhor. It cannot be. One bold prompt com-
bined effort is sufficient to annihilate the detachment
of ruffians on this side of the Colorado, and if well follow-
ed up, will soon drive the remainder beyond the Rio
Grande.

Proclamation

The Government being anxious to provide a pleasant
location, at some one point where the means of comfort
the subsistence can be had, for those families, who have left
their homes, and are now on the road exposed to the incle-
mency of the weather, and to all ^{the} inconveniences incident
to their scattered and homeless condition. And several
respectable heads of families so situated, having expressed
a wish to have their families so provided for by the Govt,
to afford them an opportunity to return to the army and
to participate in the glory of conquering the rebellious
barbarians of the common enemy, and of expelling them
from the country. It is therefore ordered and decreed and
by and with the advice and consent of my Cabinet, I do
order and decree ~~that~~ all the families now on the road
to stop their further journey eastward, and ^{that} such as have
not found suitable and convenient locations for a tem-
porary residence, do repair to the south side of Wolf
Bayou and to the tract of land known as the tract
of Luke Moore, which point has been selected by the
heads of families above alluded to, and there make an
encampment. This point is eligible on several

It is bounded in woods suitable for shelter, is supplied with good wholesome shade water and is convenient for obtaining provisions either by land or water. It will become necessary to erect temporary shelters for this purpose a person or persons will be provided with timber and to superintend the construction of proper sheds. Free Persons will also be provided & provided to procure corn and beef for the use of the families. When the families shall be so collected, it will become expedient that a portion of the heads of families shall be designated for the purpose of taking the special charge and protection of those ^{part of the} families who are not subject to military duty. For this purpose a draft will be made among all the adult males, belonging to such families drawing in the proportion of one man to every five families, and when such draft is effected one person among those drawn will be elected by a majority of the heads of families to act as the general superintendant of the families and be committed to the commissary appointed to procure provisions, will make weekly reports to the general superintendant of the amount and quality of provisions furnished and the superintendant will furnish the treasury department with duplicates of such reports, the person or persons appointed to procure timber will be cautioned not to cut down or destroy in vain the trees and to put them to the Camp. They will procure their wood and timber on the opposite side of the Bayou, excepting such as may be had on this side, without impairing the shade necessary to the salubrity of the encampment.

Signed

To the Agent of the Agent.

The condition of your country needs your generous support, no revenue has yet been established the means for carrying on the war, is want in a general measure, in your generous devotion to her cause, upon a loan of 800,000 at 8 percent per annum we have principally

a agency of Robert Inglett whose designation takes
effect from the 1st day of July next

Done at Velasco this 10th day of June 1836

Proclamation

Whereas the ninth article of the
general provisions of the Constitution of
the Republic of Texas provides that the
"importation or admission of Africans or
Negroes into this Republic, excepting from
the United States of America is forever
prohibited and declared to be piracy" and
Whereas the African slave trade is equally
repugnant to the best feelings of our nature
and to the benign principles of the Christian
faith; is equally destructive to national morals
and to individual humanity; and

Whereas the most enlightened and
powerful nations of Christendom are ex-
erting both their moral influence and
physical force to suppress that odious and
abominable traffic: And

Whereas it is the imperative duty and
the high privilege of the Government of
Texas to contribute in all practicable and le-
gitimate means, to the effectual prevention
in its own jurisdiction, of a trade so atrocious
and disreputable.

Therefore I David G. Burnetts President of
the Republic of Texas, by and with the advice
and consent of my cabinet, and in accordance
with the 9th article of the Constitution aforesaid
do command and require all officers naval
and military, and all collectors and other
functionaries of the Government to be vigilant
and active in detecting and defeating any

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attempt to violate said articles, and to seize, and arrest, and detain in safe custody, any persons or persons that may be found violating or attempting to violate the same; and to stop, seize, take possession of, and detain any vessel or vessels with their equipment, tackle &c. and any boat or other water craft of any description attached thereto, or board of which any Africans or Negroes so attempted to be imported in contravention of the said ^{9th} article may be found ~~detained~~ and to detain any and all such negroes wherever found until the further decision of the Government can be had in relation thereto: provided that any officers making such seizure &c. shall as soon as may be practicable, report the same, with the relative facts to the Secretary of the Navy

Done at Harrisburg this
3rd day of April 1836 and of the Independence
of the Republic the first

David G. Burnett

Proclamation:

To the citizens of Texas residing
in the municipality of Red River.
(Fellow Citizens.

The enemy is advancing upon our borders, their hands still soiled with the blood of our gallant brothers slaughtered in the Alamo. In the name of Texas we exhort you citizens of Red River to remain with alacrity to the sword, and to chastise the audacity of the invader. Your brothers of the sea coast and the interior are in arms and we confidently rely on our ability to sustain this portion of the Republic.

The enemy threatens us with a speedy conquest, and conquest by such an enemy, imports an indiscriminate extermination.

Citizens of Texas! Your all is at stake. Your wives, your children, all that is dear and sacred to freemen summon you to the field. Your inherent gallantry will promptly obey the call. Texas in this hour of her extremity, needs the aid of every citizen: let none prove recreant and all will prosper. The enemy knows and dreads your prowess. They depend on numbers, we in the justice of our cause, the approbation of our God, and a high preeminence of National Character.

Citizens of Red River! the war in which you have a common interest with all Texas, has hitherto been conducted without your aid. It now devolves upon you to bear a portion of its burdens. Your patriotism is not doubted, your courage and ability are fully appreciated by your fellow citizens.

Let the enemy experience the one and feel the other. One bold united exertion of our strength, conducted with skill, will bring the contest to a speedy and glorious termination, and peace, fortune and independence are the certain results.

David G. Burnett
President of the
Republic of Texas.

Proclamation.

Citizens of Texas.

The enemy are again

preparing to invade our soil. Grieved on vengeance for their late defeat, they have rallied another horde of seville miscreants, and hope to accomplish by their hasty levies, a conquest which the utmost exertions, and deliberate preparations of their favorite chieftan has failed to effect. Cereca, the cold blooded half murderer of the gallant Fanning and his noble band, leads the returning band of ~~thrust~~ and threatens to exterminate all free born Texans.

Again, fellow citizens, you are called upon to rally to the standard of your country; to sustain the independence you have solemnly pronounced; and to preserve your homes, your domestic altars and your sacred liberties from pollution and enthrallment. The approaching ~~armament~~ threatens to be more formidable than that which you so lately and so gloriously vanquished on the plains of San Jacinto. But Texans! What you have done once you can do again. It is the peculiar province of true courage to rise in dignity and in spirit as the pressure of adverse circumstances increases; to brighten in cheerfulness and resolution as the storm lowers and gathers darkness.

Let us exemplify as a people this glorious property of the highest military attribute.

Let every citizen of Texas repair with alacrity to his post. It is the sacred duty of every man who calls Texas his home and who claims a proprietary interest in her soil to stand forth in her defence, in this hour of her peril. Let no man prove recreant. The trial of real patriotism is at hand. Action, prompt, energetic action, is the best evidence of a patriot's zeal; noisy and blustering words may deceive for a time, but right actions carry irrefutable conviction to the mind.

It is hoped that no fugitives will henceforth be found in Texas. (A Salutary experience is before us. Be admonished by its precepts, and let us realize that "the best security for families, is to be found in ~~the~~ gallant bearing before the enemy". The army is the best buckler of defence that we can fling around our wives and children. But that army must be strengthened and increased. The citizen soldier of Texas must take the field en masse: the emergency demands it: the situation of our country requires it. Let us do away and obliterate the unkind reproach that the citizens of Texas have abandoned the defence of their country, to the chivalry of those generous spirits who have volunteered in her cause. The contest is for life, liberty and independence. Let every man do his duty and the glorious prize will be gloriously won.

Therefore I, David G. Burnet, President of the Republic of Texas, by and with the advice and consent of the Cabinet, have ordered and decreed, and do hereby order and decree, that every able bodied man in Texas, being over the age of sixteen and under that of fifty years, do forthwith report himself to the proper mustered officer of his respective municipality and enrol himself for military duty: and that so soon as a company of fifty six men shall be enrolled in any municipality, they shall proceed to an election of their several officers and shall forthwith march to head quarters, first reporting their organization and a complete company roll to the mustered officer of the municipality. And it is further ordered and decreed that the mustered officers in

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each municipality shall make out a full list of the names and ages of every male citizen of his municipality, whether absent or present, a certified copy of which list shall be transmitted to the war department. And he shall also keep a list of every man within his municipality, who enrolls himself for military duty, a copy of which record shall be forwarded to the department of war at the end of every month from the promulgation of this decree. He shall also send to the same department copies of the general company rolls returned to him.

It is further ordered and decreed that all officers, non-commissioned officers and privates belonging to the Texian army, who may be absent on furlough or otherwise, do immediately repair to their respective posts and report themselves for duty, on pain of forfeiting their commissions, if commissioned officers, and their pay and bounty, if non-commissioned or privates.

(The foregoing was not signed or dated)

I Address
To the Army of Texas.
Citizen Soldiers.

I address you on subjects of common interest, the peace, the prosperity and the honor of Texas. Your gallantry has nobly sustained her reputation for chivalry in the field of battle; but deeds of valor are not alone sufficient to establish the high character of an enlightened patriotic and Christian people. A scrupulous regard to the established and beneficent principles of morality, are equally indispensable. A nation can or

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be great without valor, nor respectable without
virtue. The highest courage, if unhastened by
moral feeling, degenerates into mere animal impulse,
ceases to discriminate man, from the brute
creation.

Patriotism is emphatically a moral
sentiment, and the citizen soldier who has no
veneration for the moral character of his coun-
-try, may be brave and enterprising, and may
render good service in the field, but he can never
merit the illustrious title of a Patriot. The halo
which surrounds the name of Washington re-
-ceives less of its splendor from his achievements
in arms, than from the purity, the disinter-
-estedness, the punctilious integrity which
characterized all his walks in life. Arnold
was brave and enterprising, but Washington
was a patriot.

I address these things to you citizen
soldiers because the exigencies of the times require
that every proper incentive to duty be calmly
received by us all, that all may perceive their own
aberrations, and diverting our minds of the be-
-quiling influence of excited passion, that all may
pursue the path of our country's glory, under the
guidance of an enlightened reason and upright
patriotism. Our country has recently aspired
to a standing among the Nations of the Earth.
Her national character is only partially
displayed at home; it has never been developed
abroad. Much of her future happiness and
prosperity depend upon the moral qualities
that shall be unfolded to the world in the
development of that character. If reck-
-lessness, dishonesty, insubordination, or want
of good faith be exhibited, then indeed

may Texas have cause to mourn over her abused independence, and to sigh for the fathers of Egypt. But, if a high integrity, concord, obedience to law at home, and a strict observance of all her engagements abroad, are displayed, then will she have cause to rejoice in the hour that she threw off the yoke of an unprincipled and faithless government, and asserted her rights to a distinctive national character.

Citizen Soldiers, I would call your serious attention to a few plain facts, and a few obvious principles connected with and resulting from these facts.

The Government of Texas has deliberately entered into a treaty with the President, General Santa Anna. That treaty may be wise, or it may not, time will develop. Be it what it may it has been solemnly made, and the good faith of Texas is pledged for its consummation. I would not speak of the motives which have prompted the Government of Texas to the negotiation of that treaty; had not those motives been obliquely and gratuitously impugned. (That were false, patriotic, and beyond reproach, we rest for the testimony upon the purity of our past conduct in life, and we are assured that they will escape suspicion, except as the vicious and corrupt are always prone to suspect a purity in others, which they are conscious of wanting themselves.)

The treaty has for its ultimate object a firm peace with Mexico, based on a full recognition of the independence of Texas. The price to be paid for this great blessing, great, certainly, in the estimation of every good citizen and

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patriot soldiers the enlargement of the President, of Santa Anna and his restoration to Mexico.

But it is alleged that Santa Anna is faithless, and eminently unworthy of confidence; that he is a murderer, and ought to be executed, and that he is a prisoner and incapable of treating.

To these objections I would in general observe, that the Government of Texas have already treated with him, and that he has performed and is daily performing such parts of his stipulations as are capable of present execution. That the treaty having been ratified by an executive compliance on one part, is irrevocably and solemnly binding on the other. That a breach of its obligations on the part of Texas, would give to the "faithless" Santa Anna, the triumphant boast of having performed his engagements to Texas, while the Government, May! While the people and the Army of Texas have prevented their Government from executing a single stipulation to him. The effect of such a boast, when founded in truth, and blazoned to the world, on the moral reputation of this young Republic, is too humiliating to be contemplated with patience, and I will not attempt to portray it. The luminous Watts say "Nations and their conductors ought invariably to observe their promises and their treaties ++++ he who does not observe a treaty, is certainly perfidious, since he violates his faith".

But perhaps the objectors may feel themselves entitled to a more specific reply, and I am willing to gratify their curiosity. The Government, without making any special reference to the good

or bad faith of President Santa Anna, have con-
-ceived they had a better security for the faithful
performance of his engagements, than any ordinary
human claim to personal confidence could furnish
and therefore they considered the alleged faithfulness
of his character as presenting no very serious obstacle
to the final consummation of the treaty. They be-
-lieved, and they were persuaded that he fully
believed, that his own highest political interests
would require and render imperatively the comple-
execution of the principal stipulation in his branch
of the treaty. And therefore they reasoned, not
from the good or bad faith of Santa Anna, but
from an attribute common to all ambitious
political aspirants; his instinctive desire to
promote his own interests, especially when
those interests were obviously concurrent with
the best interests his country. And they were
assured that this controlling passion of self interest
was deeply and intensely enlisted on this occasion.

Is there any man in Texas, who does not
believe that it is impossible for Mexico to subdue
this ~~Louisiana~~ country and retain it as an
integral part of the Mexican Republic? Not
in Texas is more fully and impressively co-
-vinced of that plain fact than is the President
Santa Anna. He has learned it by a sad
experience, the best possible teacher of pra-
-ctical truth. He knows that his favorite
scheme of a central government in Mexico
can never be tranquilly established in Texas.
The demonstrations of this fact he has witnessed
in the abandonment of our homes, the volun-
-tary conflagration of our towns, and especially in
thunders of our cannon, and the impetuous
charges of our gallant troops on the field.

San Jacinto. I ask you then, citizen soldiers, reasoning from the known and ordinary principles of human conduct, what has the alleged faithfulness of Santa Anna to do with this treaty? Will he be faithful to his own plain interests, and to the interests of his country? Is his faithfulness of that perverse, idiotic and extraordinary kind, that it will sacrifice all the blandishments of ambition and all the endearments of self interest, to its own fatuitous and suicidal gratification? If so, there is Santa Anna a wonderful being, an anomaly in human nature; a creature transcending even the unique and preternatural obliquities of Shakespeare's Caliban.

It is ~~alleged~~ again that Santa Anna is a murderer and ought to be tried and executed.

I have yet to learn the principles of international or of civil law that would justify the Courts, civil or military, of one belligerent taking cognizance of the official, military acts of the commander in chief of the antagonist Nation. But supposing such right of jurisdiction did exist, or suppose more rationally that the Government were disposed to inflict on their distinguished prisoner the utmost rigor of the *Lex talionis*, still they were barred and precluded from doing so, by the military convention agreed upon, and ratified between Genl. Houston and the Mexican Chief, before the Government were apprized of his capture. I do not pretend that the Government were so disposed, for I am free to declare for myself that I never would have consented to the deliberate and cold blooded

masacre of any prisoners. No man reprobates the murderous and abominable conduct of our enemies more than I do. It is so much the object of my abhorrence, that I have no desire to imitate it, but would rather hold up its atrocities to the indignation of the world, in the bright conspicuousness of contrasted clemency.

It is further alledged that Santa Anna is a prisoner, and has no power to make a treaty. There is some plausibility in this objection, but the force of it is destroyed by the fact that his treaty has been recognized, and in some very valuable points executed by the present ~~policy~~ of the Mexican forces in Texas. In pursuance of that treaty General Filisola has agreed to evacuate our territory, and has already passed the "Rios," and is probably by this time crossing the Rio Grande, at the head of 5000 troops. Does Texas derive no advantage from this effect of the much abused treaty? Is the peaceable retirement of 5000 lately hostile troops from the country, unworthy of consideration? Suppose they had concentrated at some strong point and fortified their position, would it have cost us nothing to dislodge them? The very subsistence of such a force in our exhausted and wearied condition, would have been more injurious to Texas than all the evils that could possibly have resulted from the liberation of Santa Anna. Our impetuous gallantry may prompt you to say, "we could subdue them" they were frightened and were retreating in a panic. But citizen soldiers, have you considered the influence of a feeling of desperation on such a body of men with arms in their hands, and can you certainly determine that those five thousands

soldiers, headed by an able and experienced captain, as Filisola confessedly is, would not have rallied their scattered spirits, and have made one bold effort for self preservation, if not to retrieve their tarnished glory, or avenge the blood of their comrades? The stricken deer if too sorely pressed, will turn infuriate upon his enemy.

I would ask citizen soldiers, what great evil could possibly result from the liberation of the captive President of Mexico? Is Santa Anna so formidable, that he alone is a terror to Texans? The plains of San Jacinto have witnessed the idle vanity of his boasted invincibility, and sure I am there is not a soldier in your ranks who would not as leave confront him in battle as the meanest catfish of his nation. (When there is the tremendous objection to his restoration? Suppose he should play false to all his engagements and fling the shattered remnant of his political character to infamy and execration, who and what is Santa Anna more than another Mexican Chief? He has been conquered once and may be again. Could he better hope to arouse the torpid spirit of national pride in Mexico, by holding forth his purple and his drenched and faded laurels, than could some other Chief who might appeal to them in behalf of their captive President, the dishonored honor of their arms, and the ignominy of eight millions of souls yielding a contest for dominion to fifty thousand?

But I will not dwell upon the relative capacities of Mexican Chiefs. If we must fight them again it is of little import who leads

their miscreant hands. We must and can carry the war beyond the Rio Grande, and whether Santa Anna or Bravo, or another be there he will witness a rehearsal of the brilliant tragedy of San Jacinto.

By detaining Santa Anna we gain nothing but the miserable gratification of wreaking a pitiful vengeance for the wrongs our friends have sustained at his hands. This feeling of revenge is natural, and the gratification of it might have been commendable, if it had been indulged at the proper time and under proper circumstances. If he had never been received as a prisoner he might on the clearest principles of retaliation, have been made the victim of his own barbarous and exterminating policy. But after he had been admitted to the protection and ^{the} hospitality of the camp, and had actually ratified and in part executed a treaty with his captors, it would have been a gross violation of every principle of honor and every rule of war, to visit such retribution upon him. The high and merited vengeance was deferred to ~~him~~ who hath said "Vengeance is mine; I will repay". — To detain him now is to gratify a paltzy spirit by harassing his prisoners, but it can answer no valuable purpose to Texas. To release him may.

He is the head of the Central system in Mexico. The consolidation of that Government is his favorite scheme, and it is precisely the scheme that is best adapted to promote the favorite desires and the highest interests of Texas; the establishment of her independence. Let the seceder party acquire the ascendancy in Mexico and restore that impracticable

system there, and an acknowledgment of the independence of Texas becomes constitutionally impossible. There is no power ~~in that~~ vested in that Government, that could assent to a dismemberment of the Republic. But, the sovereign power, under a Central Constitution would find it equally facile and advisable to get rid of the obstreperous republicans, and practical federalists of Texas, by severing her from the empire. The federalists of Mexico are the enemies of Santa Anna. By detaining him here, we give to them the reins of Government, and deny to ourselves all hope of a formal recognition. By letting him depart in time to sustain his authority at home, we assure to ourselves a certainty that our independence can be recognized and at least a probability that it will.

It is due to the Government to state that they never thought of abandoning our friends unfortunate friends who are still prisoners with the Mexicans. It was stipulated that they should first be given up, and in order to ascertain that this interesting clause was complied with, the vessel intended to convey the President Santa Anna and our commissioners to Vera Cruz, was to touch at Copano and at Matamoros, where the commissioners could learn all the relative facts and act accordingly. Those commissioners were the honorable Lorenzo de Zavala and the honorable Bailly Hardiman, gentlemen of high character and worthy of all confidence, according to the best information the whole number of prisoners that have escaped the brutal policy of our enemies

and are still preserved among them, is about one hundred and fifty. Those who know even by report, the rigid severity and the disgusting filthiness of a Mexican prison, can form some idea, ~~can form some idea~~ of the anxiety of those brave but unfortunate defenders of Texas, to be released from their loathsome condition. By detaining Santa Anna, you ~~will~~ necessarily protract their sufferings, and cause them to feel, in all the anguish of realization "that hope deferred maketh the heart sick".

How long have these brave and generous spirits, the most of whom have voluntarily relinquished all the comforts of a plentiful home, to aid us in the darkest hour of our struggle, and have nobly "rushed to the rescue" of Texas, languished under the torments of a loathsome imprisonment? Have their sufferings no claim upon the sympathies of the Citizen Soldiers of Texas? It was the fond wish of the Government to terminate their sufferings, and to manifest the gratitude of Texas to all those who have bared their bosoms to the storm in her defence. What benefit or what gratification can the detention of this redoubtable Santa Anna confer, that will cancel our obligations to those gallant men and compensate their protracted miseries? I have not yet been able to discern, in the future, one single advantage to result from keeping the President of Mexico a prisoner of war. But, our Citizen Soldiers have recently visited the scene of his most vile atrocities. You have collected the scattered relics of mortality, who strewn the plains of La Bahia, and have

committed them with appropriate funeral honours to decent Christian interment.

This melancholy exercise of a pious patriotism has concentrated your feelings upon one painful and exciting subject, the late abominable massacre of those gallant men, whose bones you found bleaching on the prairie. And by a natural association, your highest resentments have been elicited towards the reputed author of that manifold and villainous murder.

And hence it is Citizen Soldiers, that you have suffered passion to usurp the rightful dominion of reason, and have in fatal opposition to every principle of free and liberal governments, arrayed yourselves against the civil authorities, and endeavoured with a high hand to restrain its operations, and with a dictatorial voice, to prescribe its duties.

We have yielded to your remonstrance because we hold the internal tranquility of Texas, in the course of her political existence, as paramount to all other considerations. But we have done so under a full knowledge that our national reputation would suffer some detriment, and this we count a great evil, not easy to be repaired, and never to be compensated by our passionate gratification or illusory hopes which you have founded upon your favorite policy of keeping Santa Anna. In discharging the high duties committed to us by the people of Texas, we have endeavored to discard all intemperate passions from our councils, and to

consult and advance the best interests of
our Country, by a reasonable, upright, re-
solute and pacific policy. Time may yet de-
-close the error and its location. I have ho-
-stily presented to you some of the reasons that
have influenced the Government of Texas to
solemnize this a treaty with the President of
of Mexico. There is nothing certain that depends
on human action, but I do verily believe that
if the civil government had not been prevented
by the unwarranted interference of the Military
power, Texas would have had her independence
formally ratified by the Government of Mexico
within four months from this day. All
other Nations would then have recognized it
as a matter of course. To those who delight
in war, and are seeking military fame, this
probably would have been but an inconse-
-cious loss. But to the farmer, the merchant
the peaceful citizen of whatever vocation, it
is surely "a consummation devoutly to be
wished". To Texas it would have brought
prosperity at home and peace abroad.
A full and flowing tide of emigration
would speedily have set in upon our land,
and the abandoned wastes that have so long
languished in their unprofitable sterility,
would have welcomed thousands of happy
settlers to a prosperity and a blessed repose
the world seldom confers.

Yours humble servant
Oklahoma
James G. Burnett
11th June 1836.

Proclamations

Whereas, it has been reported to me that many abuses have been practiced by persons, having or pretending to have authority to press into the public service horses and other property belonging to private individuals.

And, whereas it is known that some evil disposed and unprincipled men have abused such authority to have been given to them by the Government, when no such authority was given, and have fraudulently possessed themselves of the private property of citizens and appropriated it to their own use under the sinister pretence of serving the public.

And, whereas the right to seize private property for the public use, is the result of an extraordinary power which should be exercised only in emergencies and with great prudence and circumspection, and should be committed only to responsible and discreet persons.

Therefore I, David G. Burnette, President of the Republic of Texas, by and with the advice and consent of my Cabinet, have ordered and decreed, and by this public act do order and decree, that no Military officer except the Commander in Chief of the Army, and no other person whatever, excepting the heads of the several Departments of the Government has, or ought to exercise or delegate to others, the right to press or in anywise compel into the public service, any horse, mule, or other property whatsoever, belonging to any

Citizen or Citizens, or any individual whatsoever, unless such officer or person shall exhibit a written authority from the Commanding in Chief of the Army, or from the heads of the departments of this Government. And any officer or other person, who shall unlawfully take into his possession, and carry away or any pretence whatsoever, any horse, mule, or other property, belonging to any Citizen or private individual, without such authority shall be deemed guilty of a felonious taking and converting to his own use of such horse, mule or other property and shall be holden responsible for the full value of the same, and shall be further amenable in a criminal prosecution for such felonious taking and conversions.

And all officers so authorized as above, are hereby enjoined to observe great caution and a sound discretion in deputing this irrevocable power of imprisonment to any person or persons, and never to resort to it, unless on actual emergency shall render it necessary for the public good, when all good Citizens will cheerfully acquiesce in its exercise.

Done at Mexico this 12th day of July 1836 and of the Independence of the Republic of Texas the first

(Signed) David G. Burn

Proclamation

Whereas, several officers were appointed in the army and navy of Texas, by the late Provisional Government, and also by this Government; who have not entered upon the discharge of their duties; and as some commissions have been issued to persons to whom no corresponding command could be given: and as the spirit of our free institutions, and the financial interests of the Country, equally forbid the existence of any sinecure office.

Now therefore, David G. Burnett President of the Republic of Texas, by and with the advice and consent of the Cabinet, do order and decree, and it is hereby ordered and decreed, that all such commissions heretofore issued, and all appointments heretofore made of persons not now in actual service or command, (except such as have been of absence) are from and after the publication of this proclamation, annulled, annulled and of no effect.

And it is further ordered and decreed, that all officers now in service or command in the army or navy of Texas, do forthwith transmit to the proper office or department, copies of their commissions accompanied with a statement of the service in which they ~~are~~ engaged, in order that a full and complete list may be filed in the respective offices.

Done at Dallas this 14th day of July

1861.

David G. Burnett

4. Council, Sec. of War
and Acting Sec. of Army

Proclamation

A Proclamation of Blockade of the Port of Matamoras &c. By the President of the Republic of Texas

To all to whom these presents shall come,

Know Ye, that I David G. Burnett, President of the Republic of Texas, by and with the advice and consent of the Cabinet, do order decree and proclaim the Port of Matamoras in the State of Tamaulipas and Republic of Mexico comprising the mouth of the Rio Grande and the Bajasas Santiago, and also all the inlets, estuaries and passes, that now and east of it, that now are or hereafter may be in the possession of the forces of Mexico, are from and after the date of this proclamation, in a state of actual blockade by the armed vessels of this nation.

And for the purpose of carrying this proclamation into complete effect, an armed naval force now is, and will continue to be kept at or near the said port, inlet and passes entirely sufficient to enforce this decree.

For any breach or effort at breach, of this blockade, the offending vessel and cargo will be liable to confiscation, and the officers and crew of such vessel will be subject to all the penalties attached to a breach of blockade.

And decrees shall take effect as to vessels sailing from New Orleans within three days after its publication in that City, and within five days as to vessels from any other port or ports within the Gulf of Mexico, within twenty days as to any Port of the

United States North of the Gulf of Mexico,
And in forty five days as to vessels sailing
from any of the Ports of Europe.

Done at Velasco on the 21st
day of July A.D. 1836. And the
first of the Independence of the Republic of
Texas.

David G. Burnett.

A Proclamation

By the President of the Republic of Texas,
for the election of a President, Vice President,
Representatives and Senators to Congress.

To all to whom these presents shall
come greeting.

Know Ye, that I, David G. Burnett
President of the Republic of Texas, by and
with the advice and consent of the Cabinet
do decree and proclaim, that on the first
Monday in September next, there shall be
an election throughout this Republic at the
several places, in the respective precincts,
districts or Counties, for holding elections,
for a President, Vice President, and mem-
bers of the Senate and House of Representa-
tives, of the Congress of the Republic of
Texas.

And all officers heretofore authorized,
to hold elections in their respective Counties
or precincts, are hereby required, to hold the
election on the day above named for the
said officers.

And in case there should be in the
County or precinct no person authorized
to hold the election, then the voters will
proceed, before opening the polls, to choose

three managers, whose certificates as to the result, will be received.

In the precinct of Austin there will be elected one Representative to Congress. In Brazoria two. Bexar two. Colorado one. Gonzales one. Goliad one. Harrisburg one. Jasper one. Jefferson one. Liberty one. Matagorda one. Mina two. Nacogdoches two. Red River three. Victoria one. San Augustine two. Shelby two. Refugio one. San Patricio one. Washington two. Milam one. and Jackson one.

The returns to be made to the judges or managers of the election at the Capitol of the precinct within three days from the election who will issue the necessary certificates to the persons elected.

And from the Senatorial District of Bexar there shall be elected one Senator. From San Patricio. Refugio; and Goliad one. From Brazoria one. From Mina and Gonzales. one. From Nacogdoches one. From Red River one. From Shelby and Sabine one. From Matagorda, Jefferson, and Victoria one. From Austin and Colorado one. From San Augustine one. From Milam one. From Jasper and Jefferson one. And from Liberty and Harrisburg one. And whenever two or more precincts compose a Senatorial District, the managers of the elections, at the Capitols in the precincts last named in this proclamation, after having received returns of Senatorial votes shall make their returns in five days, to the managers of the election in the Capitol of the precinct first named; who shall issue the corresponding certificate to the person elected Senator.

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And as there are now in the army, in the service of their country, a great many persons who might thereby lose their right of suffrage, therefore all such persons entitled to vote can do so, by holding an election and sending the returns to the managers of the election at the Capitol of the precinct, of which they are citizens. The name of each voter being taken down in writing and forwarded with the returns.

And as some of the precincts are depopulated, by their temporary abandonment, on account of the invasions of the Mexicans and the incursions of the Indians, therefore all such persons thus absent are permitted, to exercise their right of suffrage, by meeting together wherever they can in any numbers, holding an election and making the returns in ten days to the Secretary of State, in which returns shall be stated the names, of the persons voting, and the result thereof. The returns of the votes for President and Vice President, are to be sealed up by the managers of the elections at the Capitol, and directed to the Speaker of the House of Representatives.

And as it has been impracticable to publish the Constitution, in time to give the people ^{ample} opportunity, to examine it, and as it is believed that some parts are objectionable, therefore the managers of the election are required to ask of each voter, whether he is willing to clothe his senators and representatives, with constitutional powers to revise and amend the same, and bind him to adopt it. Also whether he is in favor of the adoption of the

Constitution as it now stands, or of its rejection, or revision and amendment by Congress.

And as it is conceived important to the interest of the country, that the people should determine whether they are in favor of annexing Texas to the United States, therefore the managers are required to put the question direct to each voter and make return of the number of votes for or against it.

The Senators and representatives so elected are required to meet on the first Monday of October, in the town of Columbia.

Held at Velasco 23 day of July 1836, and of the independence of the Republic of Texas the first.

Proclamation

By the President of the Republic of Texas for the election of a Senator for the County of Brazoria.

To the citizens of the County of Brazoria
(Know ye, that S. David G. Burnett President of the Republic of Texas, by and with the advice and Consent of my Cabinet, and in accordance with a resolution of the Senate informing me that the election of William H. Wharton and Walter L. White for Senators for the County of Brazoria, was by the Senate referred back to the people; do decree and proclaim that on Saturday next the day of October there shall be an election held at all the precincts in the County of Brazoria for a Senator for said County.

And all Judges, Alcaldes or other officers heretofore authorized to hold elections are hereby required to hold said election for Senator on the day above named.

The returns of the election are to be made by the judges of the different precincts to the President of the Senate of the Republic of Texas, within two days.

Done at Columbia this 11th day of October A. D. 1836 and of the independence of the Republic the First.

Proclamation.

By the President of the Republic of Texas for the election of a Congressional Representative for the County of Jefferson.

Know all that I David G. Burnet President of the Republic of Texas, by and with the advice of my Cabinet, and in accordance with a resolution of the House of Representatives, informing me that the late election between William H. Pison and Colborne West for Representative for the County of Jefferson, was by the House of Representatives referred back to the people, do decree and proclaim that on the

day of there shall be an election held at all the precincts in the said county of Jefferson for a Representative of said County; and John Stevenson, a citizen of said County is authorized to hold the election for Representative, on the day above named. The judges of election

and the clerks to be elected by the voters at the polls; the election to be holden at the point most convenient to the citizens generally, in the discretion of the said Stevenson.

The returns of the elections are to be made by the judges of the different precincts to the speaker of the House of Representatives.

Executive Department
April 5th 1836 =

To the citizens of Texas, of the States

United when it becomes necessary for the Government of Texas to adopt decisive & prompt measures for the defence of the country. The army must be reinforced or the country will be lost and the fertile lands of Texas will become a wilderness, her population driven beyond the plains and all the prospects of Texas who have spent years and have their all in the country will be destroyed. But it only wants courage and determination on the part of our people to check the invader and drive him back to his own haunts. The world knows only to will it and be free. Let our men rise and be brave, take up his rifle, and instead of turning back on the enemy and running away like a cowardly dog, face to the west. Call into action all the energies of his soul. He is now for the combat firmly resolved to drive the mercenary soldiery of Santa Anna from the lands -

Gen. Houston has an army now of fifteen hundred men on the west side of the Brazos. It is a matter impossible for an army of three times their numbers to cross the Brazos in this place. The Mexicans will never cross the Brazos until Houston is beaten in a fair field fight, all that are east of the Brazos are secure the enemy is yet lingering near the Colorado making but slow progress in their movements. It is only necessary for Texas to make one bold movement to crush by defeat him, if they longer delay his numbers will increase he will become more bold & daring. Texans, have you no pride? will not the fingers of scorn be pointed at you should you leave the country without an effort to retain it? What will the world think of your boasted declaration of independence, when you flee at the sight of the first enemy that makes his appearance? Would it not be better - more honorable to die like the brave heroes who fell in the Alamo, than to save your lives by a disgraceful flight? Will you not turn out and fight for your homes & firesides - for the prospects of your families? Have you not spirit enough to avenge the savage butchery of your friends and fellow citizens? I have no doubt but your sympathies are awakened, that all true patriots - all who desire to be considered citizens of the country will attend to the call that is here made, and fly instantly to the standard of the country. Or have you delayed already.

and the cause was sufficient, many brave soldiers who have magnanimously left their home and country to aid your cause, have been sacrificed through your negligence already, the time has arrived that every man must do his duty. He must defend the soil that he expects to reside on, he must fight for the privileges if he expects to enjoy them.

Therefore I David G.

Burnet President of the Republic of Texas by and with the advice and consent of the Cabinet and by virtue of the authority vested in me, by virtue of my authority as Commander in Chief of all the Militia of Texas, and of all who are subject to duty as such - do I issue this my Proclamation, that every able bodied man subject by the laws of the Country to Militia duty, shall forthwith rendezvous, equipped as the law directs at the head Quarters of the Commander in Chief of the Army of Texas and report himself for duty, all those who refuse to obey this order will be taken up and treated as deserters, and punished accordingly - shall forfeit his right of Citizenship & all his lands in the Republic, and from hence forth treated as an alien and foreigner. Every name of those who defend the Country shall be recorded, and those whose names are not on the list will be considered as abandoning his Country in testimony of the foregoing Proclamation I have hereunto set my ^{affixed my private} hand, and seal there to my seal office at Harrisburgh the day & Year aforesaid &c,